

lan, speaking for the Supreme Court, declared that "a state of war did not in law cease until the ratification in April 1899, of the treaty of peace." (194 U. S., pp. 317, 323.)

It is therefore submitted that a preliminary agreement signed by the President, but not ratified by the Senate, can have no legal

effect, so far as ending the war is concerned, and can operate only as a truce; and that if it is desired in the preliminary agreement, by whatever name it may be called, to effectuate the transition from the state of war to a state of peace, this may only be accomplished by submitting it to the Senate for

its advice and consent according to the constitutional provision.

JAMES BROWN SCOTT,
DAVID HUNTER MILLER,
Technical Advisers,

American Commission To Negotiate Peace.
MARCH 18, 1919.

SENATE

WEDNESDAY, MAY 25, 1955

(Legislative day of Monday, May 2, 1955)

The Senate met at 9:30 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father, who hath made and preserved us a nation, our fathers trusted in Thee and were not confounded. In Thee we trust. Thou hast taught us to love truth and beauty and goodness. May Thy truth make us free—free from pride and prejudice and free from all the ugly sins of disposition that do so easily beset us. Lift us, we pray Thee, above the mud and scum of mere things into the holiness of Thy beauty, so that even the common task and the trivial round may be edged with crimson and gold. Enrich us with those durable satisfactions of life, so that the multiplying years shall not find us bankrupt in the things that matter the most, the golden currency of faith and hope and love. In these desperate and dangerous days, when the precious things we hold nearest to our hearts are threatened by sinister forces without pity and without conscience, help us to give the best that is in us against the wrong that needs resistance, and for the right that needs assistance, and to the future in the distance, and the good that we may do.

We ask it in the name which is above every name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, May 24, 1955, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of Morton S. Howell, to be postmaster at Broadway, N. J., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. I ask unanimous consent that there may be a morning hour for the presentation of petitions and memorials, the introduction of bills, and the transaction of other routine business, with the usual 2-minute limitation on statements.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

TRANSFER, FOR AGRICULTURAL PURPOSES, OF CERTAIN REAL PROPERTY IN ST. CROIX, V. I.

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to authorize the transfer to the Department of Agriculture, for agricultural purposes, of certain real property in St. Croix, V. I. (with an accompanying paper); to the Committee on Agriculture and Forestry.

AMENDMENT OF BANKHEAD-JONES FARM TENANT ACT, RELATING TO LOANS TO LOW-INCOME AND PART-TIME FARMERS

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Bankhead-Jones Farm Tenant Act to provide more adequate credit for low-income farmers, including part-time farmers (with an accompanying paper); to the Committee on Agriculture and Forestry.

AMENDMENT OF PUBLIC LAW 83, 83d CONGRESS

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend Public Law 83, 83d Congress (with an accompanying paper); to the Committee on Agriculture and Forestry.

AMENDMENT OF CAREER COMPENSATION ACT, RELATING TO TRAVEL AND TRANSPORTATION ALLOWANCES

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend section 303 of the Career Compensation Act of 1949, to authorize travel and transportation allowances, and transportation of dependents and of baggage and household effects to the homes of their selection for certain members of the uniformed services, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

REPORT ON LIQUIDATION OF PUERTO RICO RECONSTRUCTION ADMINISTRATION

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report on the liquidation of the Puerto Rico Reconstruction Administration (with an accompanying report); to the Committee on Interior and Insular Affairs.

REASONABLE NOTICE OF APPLICATION TO COURTS OF APPEAL IN CERTAIN CASES

A letter from the Director, Administrative Office of the United States Courts, Washington, D. C., transmitting a draft of proposed legislation to provide for reasonable notice to the agency of applications to the courts of appeals for interlocutory re-

lief against orders of the Civil Aeronautics Board, the Federal Communications Commission, the Secretary of Agriculture, the Federal Maritime Board, and the Atomic Energy Commission (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

GRANTING OF APPLICATIONS FOR PERMANENT RESIDENCE FILED BY CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

ABBREVIATION OF RECORD ON REVIEW OR ENFORCEMENT OF ORDERS OF ADMINISTRATIVE AGENCIES BY COURTS OF APPEAL

A letter from the Director, Administrative Office of the United States Courts, Washington, D. C., transmitting a draft of proposed legislation to authorize the abbreviation of the record on the review or enforcement of orders of administrative agencies by the courts of appeals and the review or enforcement of such orders on the original papers and to make uniform the law relating to the record on review or enforcement of such orders, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

The petition of E. Vlasoff, and sundry other citizens of the State of California, praying for the enactment of legislation to provide for admission into the United States of escapees from communism; to the Committee on the Judiciary.

Resolutions adopted by the Holy Name Society, Church of St. Christopher, Baldwin, and the Holy Name Society, Saint Mary, Mother of Jesus Church, Brooklyn, both in the State of New York, favoring the enactment of the so-called Bricker amendment, relating to the treaty-making power; to the Committee on the Judiciary.

A telegram in the nature of a petition, from Matthew A. Liotta M. D., New York, N. Y., relating to the Rating Board's activities in the Veterans' Administration; to the Committee on Labor and Public Welfare.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session, The following favorable reports of nominations were submitted:

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service:

One hundred and twenty postmaster nominations.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BUSH:

S. 2065. A bill to provide for a preliminary examination and survey at Sachem's Head, Conn., in the interest of navigation; to the Committee on Public Works.

By Mr. MARTIN of Pennsylvania:

S. 2066. A bill to amend section 115 of the Internal Revenue Code of 1939 in respect to distributions in kind; to the Committee on Finance.

By Mr. CASE of South Dakota (for himself and Mr. MUNDY):

S. 2067. A bill to provide for the location of claims and the mining of source material found in lands that also contain deposits of lignite; to the Committee on Interior and Insular Affairs.

By Mr. ROBERTSON:

S. 2068. A bill to amend the joint resolution of August 30, 1954; relating to the establishment of the Woodrow Wilson Centennial Celebration Commission; to the Committee on the Judiciary.

By Mr. HRUSKA:

S. 2069. A bill for the relief of Hsu Jen-Yuan, also known as Joseph Jen-Yuan Hsu; to the Committee on the Judiciary.

By Mr. BUTLER:

S. 2070. A bill to provide for the appointment of a district judge for the district of Maryland; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 2071. A bill for the relief of the city of Pasco, Wash.; and

S. 2072. A bill for the relief of Miyeko Murase (nee Ohno); to the Committee on the Judiciary.

S. 2073. A bill to authorize the transfer of certain temporary housing projects to the city of Moses Lake, Wash.; to the Committee on Banking and Currency.

S. 2074. A bill to extend for an additional 5 years the provisions of the act of September 30, 1950, to promote the development of improved transport aircraft by providing for the operation, testing, and modification thereof; to the Committee on Interstate and Foreign Commerce.

By Mr. SPARKMAN:

S. 2075. A bill to amend section 7 of the Clayton Act to prohibit certain bank mergers, to provide for prior notification of certain mergers, and for other purposes; to the Committee on the Judiciary.

By Mr. BUTLER:

S. 2076. A bill to amend chapters 4, 5, 6, and 8 of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. LEHMAN:

S. 2077. A bill for the relief of Abdullah Ibrahim Hakim; to the Committee on the Judiciary.

By Mr. RUSSELL (for himself and Mr. SALTONSTALL) (by request):

S. 2078. A bill to permit a retired officer of the Navy to be employed in a command status in connection with Antarctic expeditions; to the Committee on Armed Services.

(See the remarks of Mr. RUSSELL when he introduced the above bill, which appear under a separate heading.)

By Mr. LANGER:

S. 2079. A bill to provide certain benefits for annuitants who retired under the Civil Service Retirement Act of May 29, 1930, prior to April 1, 1948; to the Committee on Post Office and Civil Service.

PERMISSION FOR A RETIRED NAVAL OFFICER TO BE EMPLOYED IN A COMMAND STATUS IN CONNECTION WITH ANTARCTIC EXPEDITIONS

Mr. RUSSELL. Mr. President, on behalf of myself, and the Senator from Massachusetts [Mr. SALTONSTALL], by request, I introduce, for appropriate reference, a bill to permit a retired officer of the Navy to be employed in a command status in connection with Antarctic expeditions. This bill is requested by the Department of the Navy and is accompanied by a letter of transmittal explaining the purpose of the bill. I ask that the letter of transmittal be printed in the RECORD, immediately following the listing of bills introduced.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter accompanying the bill will be printed in the RECORD.

The bill (S. 2078) to permit a retired officer of the Navy to be employed in a command status in connection with Antarctic expeditions, introduced by Mr. RUSSELL (for himself and Mr. SALTONSTALL), by request, was received, read twice by its title, and referred to the Committee on Armed Services.

The letter presented by Mr. RUSSELL is as follows:

DEPARTMENT OF THE NAVY,
Washington, D. C., May 20, 1955.

Hon. RICHARD M. NIXON,
President of the Senate,
United States Senate,

Washington, D. C.

MY DEAR MR. PRESIDENT: There is enclosed a draft of proposed legislation "To permit a retired officer of the Navy to be employed in a command status in connection with Antarctic expeditions."

PURPOSE OF THE LEGISLATION

The purpose of this proposal is to permit the Secretary of the Navy to employ Capt. George John Dufek, United States Navy, in a command status in connection with Antarctic expeditions after he has been placed on the retired list with the rank of rear admiral. Captain Dufek will be placed on the retired list on June 30, 1955, his retirement on that date being mandatory. Under the act of May 22, 1917 (40 Stat. 89) a retired officer of the Navy is not eligible for command at sea except during time of war and then only when detailed to command a squadron or single ship by the President with Senate confirmation.

The Department of the Navy is the executive agent charged with the conduct of one or more Antarctic expeditions, the first of which is expected to leave the United States in November 1955. These expeditions constitute a part of the participation by the United States in the international geophysical year. Rear Adm. Richard E. Byrd, United States Navy, retired, has been designated by the Secretary of the Navy and the Chief of Naval Operations as their personal representative in this enterprise and as the officer in charge of the venture. It is the opinion of the Secretary of the Navy, in which the Chief of Naval Operations and Rear Admiral Byrd concur, that Captain Dufek is the officer best qualified and available to serve as the task force commander of the unit which will proceed to sea in connection with this expedition. Captain Dufek is currently serving in command of the task force which is now being organized. On June 30, 1955, however, when he will be placed on the retired list he

will be ineligible to continue in command unless legislation of the type proposed is enacted.

In view of Captain Dufek's experience and special qualifications for this assignment, it is desired that an exception be made in his case and accordingly it is requested that the Secretary of the Navy be given statutory authority to employ Captain Dufek after his retirement in a command status. The authority sought would be limited to the Antarctic expeditions.

COST AND BUDGET DATA

Enactment of this proposed legislation would result in an additional cost to the Government equal to the difference between the retired pay of Captain Dufek based upon a captain's pay and the active duty pay and allowances of a rear admiral of the lower half, but only during the period he might be actively employed. This additional cost equals \$529.80 per month.

The Department of the Navy has been advised by the Bureau of the Budget that there would be no objection to the submission of this proposal to the Congress.

Sincerely yours,

THOMAS S. GATES, Jr.,
Under Secretary of the Navy.

INVESTIGATION OF CERTAIN MATTERS RELATING TO THE SUPREME COURT DECISION IN THE SO-CALLED SCHOOL INTEGRATION CASES

Mr. EASTLAND submitted the following resolution (S. Res. 104), which was referred to the Committee on the Judiciary:

Whereas the Supreme Court of the United States rendered a decision on May 17, 1954, in the case of *Brown et al. v. Board of Education of Topeka et al.*, and four related cases, which admittedly departed from the established law and precedents in declaring the "separate but equal" doctrine of separation of the white and black races was unconstitutional insofar as it applied to public school facilities; and

Whereas this decision was based solely and alone on psychological, sociological, and anthropological considerations in that the Court stated: "Whatever may have been the extent of psychological knowledge at the time of *Plessy v. Ferguson*, this finding is amply supported by modern authority"; and

Whereas the footnote to the opinion lists six allegedly modern authorities and concludes with the sentence: "And see generally Myrdal, *An American Dilemma* (1944)"; and

Whereas a provisional investigation of the authorities upon which the Supreme Court relied reveals to a shocking degree their connection with and participation in the worldwide Communist conspiracy in that Brameld, and Frazier, listed in the group of 6 authorities, have no less than 28 citations in the files of the Committee on Un-American Activities of the United States House of Representatives revealing membership in, or participation with, Communist or Communist-front organizations and activities; and

Whereas the book *An American Dilemma* was prepared by a Swedish Socialist, who declared in the book that the United States Constitution was "impractical and unsuited to modern conditions" and its adoption was "nearly a plot against the common people"; and

Whereas this book was the result of collaboration between Myrdal and certain alleged "scholars and experts" assigned him by the Carnegie Corp., of Alger Hiss fame; and

Whereas 16 of these so-called scholars and experts, who contributed to no less than 272

different articles and portions of the book, have been cited numerous times as members of Communist and subversive organizations; and

Whereas the citation of these authorities clearly indicates a dangerous influence and control exerted on the Court by Communist-front pressure groups and other enemies of the American Republic and individual members thereof that is inimical to the general welfare and best interest of the Republic; and

Whereas this Senate, the 16 sovereign States whose constitutions were nullified by the illegal decision of the Supreme Court, and all of the people of the United States are now entitled to know beyond doubt and peradventure the complete extent and degree of Communist and Communist-front activity and influence in the preparation of the pseudo "modern scientific authority" which was the sole and only basis for the decision of the Supreme Court: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Senate Committee on the Judiciary should proceed under its presently constituted powers to investigate the extent and degree of participation by individuals and groups identified with the Communist conspiracy, Communist-front organizations, and alien ideologies, in the formation of the "modern scientific authority" upon which the Supreme Court relied in the school integration cases.

NOTICE OF HEARING ON SUNDRY NOMINATIONS BY COMMITTEE ON FOREIGN RELATIONS

The PRESIDENT pro tempore. As a Senator, and chairman of the Committee on Foreign Relations, the Chair desires to say that the Senate received today a list of 80 persons for appointments and promotions as Foreign Service officers of various classes. The list is printed elsewhere in the proceedings of today. Notice is hereby given that these nominations will be considered by the Committee on Foreign Relations, at the expiration of 6 days.

The Chair also desires to say that the Senate received today the nomination of John B. Hollister, of Ohio, to be a Director of the International Cooperation Administration. Notice is hereby given that this nomination will be considered by the committee at the expiration of 6 days.

JUVENILE DELINQUENCY

Mr. NEUBERGER. Mr. President, all too often there is a tendency to overdramatize juvenile delinquency, to the detriment of the youthful offenders and of society itself. I think we must try to understand the soil in which such delinquency has its roots. Then, perhaps, in treating this malady we will drain the swamp rather than merely swatting flies.

I have received a most compassionate and thoughtful letter along this line from a distinguished school principal in my State, Mr. L. E. Rinearson of the Markham School of Portland.

In addition, Mr. Rinearson has called my attention to a careful analysis of the personal problems and difficulties of one typical juvenile offender. This analysis was written by a competent reporter, Art Chenoweth of the Oregon Daily Journal.

Mr. Chenoweth's article should serve to show that many youngsters who break the law have come from shattered homes or family backgrounds where the youngster never really had a bona fide chance for real personality development.

I ask unanimous consent that the letter by Principal Rinearson and the article by Mr. Chenoweth may be printed in the body of the RECORD.

There being no objection, the letter and article were ordered to be printed in the RECORD, as follows:

PORTLAND PUBLIC SCHOOLS,
Portland, Oreg., May 18, 1955.

HON. RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR NEUBERGER: I am writing this letter to you in regard to that group of great Americans whom we label as teenagers. This group has been maligned long and extensively by ignorant adults and irresponsible scandal mongers who seem to think they have an ear for news. The practice of broadcasting indiscriminately to the world the weaknesses of our youth exclusive of their strength will destroy this Nation. I cannot stand by and let this insidious practice continue without at least expressing myself to responsible men high in Government office.

In my 25 years as principal in the Portland public schools I know from experience how young people develop high character and also how they fall into disrepute. It naturally takes many factors to produce desirable or undesirable behavior in children but one absolutely necessary factor for success involves first of all faith. One must develop faith in many directions such as faith in God, in family, in church, in school, in community, in country, and probably most important, faith in one's self.

What chance has a child to develop this necessary faith if he comes from an ignorant background where fear is the guiding influence and where in his whole country the crime and weakness of youth is emphasized?

The bomb threats in Portland will serve as an example of lack of responsibility in reporting news. The world has been told in every conceivable means of communication that the brazen teenagers of Portland, Oreg., are threatening to bomb the schools. (Enclosure No. 1 should be read at this point.)

This enclosure gives you a partial background of a 12-year-old boy who called my school and warned that a bomb would go off at 9:02 a. m. I do not object to this particular news report. In fact I consider it probably worthwhile. It did not appear on the front page and it was not glamorous, but on the contrary, the writer made an attempt to get behind the scenes and pointed out the hardships the child has faced in his short 12 years of life. I am sorry that the writer in his story left the reasons for the telephone threat locked in the head of the boy. The reasons were obvious but the writer must keep his job; so he could not pass judgment nor divulge the combination of circumstances which prompted the boy to make the call that made him a statistic, juvenile delinquent No. 3565281.

Do I need to point out that the home situation fanned by the sensational publicity for several weeks are the major reasons for this call?

I wish you could see this boy whose act has had international publicity.

At heart this boy is not a delinquent but in the eyes of his family and community he is. It would be difficult for any one to understand that I, his principal, declare that this boy is good enough for any sensible father to call him son, and be proud

to do so. Because of his training in school, he was not afraid to tell the truth. He will soon be back in school where he will be welcomed not as a hero but a boy who told the truth under very trying circumstances. He will be made to understand that he has many more problems to solve including responsibility.

In contrast to this story three of our outstanding students received the publicity in clipping No. 2 for making excellent speeches at the Southwest Portland Lions Club where I heard and met you personally. The speeches were good enough, in my opinion, for a national television program but the publicity they received could only be found in the city briefs.

I hope the examples I have given will help you realize the need for far greater responsibility in news reporting and that you will be fired with a desire to do something about it on a national level. I feel that the greatest cause of the increase in the juvenile delinquency rate is the widespread publicity of the negative aspects of youth.

I further feel that a correction of this problem means the difference between a better nation or one that declines from lack of social responsibility on the part of its leaders.

Respectfully,
L. E. RINEARSON,
Principal, Chairman, Boys and Girls
Committee, Southwest Portland
Lions Club.

CLIPPING No. 1

[From the Oregon Journal of May 13, 1955]

WHY DOES A 12-YEAR-OLD TELEPHONE A BOMB THREAT TO HIS SCHOOL?

(By Art Chenoweth)

What pressures, what impulses, would lead a sixth-grade student, a 12-year-old, to call his school on the telephone and threaten to blow the place up with a bomb?

Was it a funny prank? Was he another one of those kids with a nasty disposition? Was it teen-age hooliganism?

Somehow none of those labels seemed to fit the thin, angular-faced boy who shifted his body back and forth on the chair in the office of David Ashmore, counselor at the county juvenile home. Constantly he rubbed his blue-jeaned legs together, twisted his billed cap in his hands, sometimes set the cap on one knee to twist the joints of his fingers almost to the breaking point.

Fear had drained every iota of color from his face. Fear had left his lips an ashen blue. He answered Ashmore's sympathetic questioning willingly. But so paralyzed was he by fear that his answers were only fragmentary gulps of sound.

From them, however, one could piece together, gradually, part of the story of his life, as it used to be and as it is now. And here is that piece of a story, about a piece of a life.

His natural father is not in Portland. He was "run out of this country by the cops." The boy's mother and stepfather, a mechanic who hasn't worked too regularly lately, married about 6 years ago.

The real father was a heavy drinker. He once brought liquor home and tried to get the children to drink it.

"One night he brought home a big sack and there wasn't anything in it but apples and oranges. He said he bought it for us to eat. He worked at the shipyards and he made plenty of money.

"We found out there was a fruit car broken into and he took the bag of fruit from the car. After he went to bed my mother used to go out and buy us something to eat, some macaroni or something."

This father beat one of the boy's sisters when she was a baby. Now she's in a mental institution. The "cops ran him out of the

country" because the father is years behind in child support payments.

This sixth grade boy has 6 sisters, in all—3 younger, 3 older. His parents give him no money. One of his sisters who works gives him 75 cents a week allowance if he does his house chores properly. If he doesn't, and she is the only one who decides, he may get less than 75 cents, maybe as little as 10 cents a week.

His stepfather and mother don't agree on discipline. The stepfather believes in strictness; the mother is more lenient. The boy and his stepfather do some things together. They've been trout fishing lately "and we got quite a few." The stepfather also cuts trees on the home property which the boy bucks up into firewood about three times a day for cooking and heating.

How does this boy like Edwin Markham school, the school he threatened to bomb?

"It's all right. It's a lot better than the other schools I went to. It's a better neighborhood and the kids and teachers are better." He said he's no standout in school "but I think I'm getting by."

What would he like to be when he grows up—a mechanic like his stepfather?

"No," he almost shouted. "I want to be an artist. An architect, maybe. Or maybe draw comic strips."

He had a chance for an art scholarship, he said, but his mother didn't want him to take it because it meant he would have to live away from home. Did he resent that? He merely shrugged his shoulders, his face expressionless.

If there's a reason why he phoned the bomb threat from a filling station pay booth, it's locked inside his skull. He doesn't know, he said.

Outside Ashmore's office Albert Green, director of the home, said, "He's pretty badly scared. The deputies just brought him over a few minutes ago. This is the 14th youngster we've had on these bomb threats."

"Some of them, a few of them, we've had to send to training school, most of them we get going back to school again before long."

CLIPPING No. 2

Students on program: Students from Edwin Markham school will present the program for the Southwest Portland Lions club at 7 p. m. Wednesday at Bruer's Tower restaurant. Judy Kinney will speak on Atoms, Gary Tjerner on Crime Comics and Kay Ross on Muscular Dystrophy. Leonard Rinearson, school principal, will be chairman for the day.

WELCOME TO SENATOR KENNEDY

Mr. NEUBERGER. Mr. President, I should like to join briefly in welcoming back to the floor of the Senate, after his long absence, the junior Senator from Massachusetts [Mr. KENNEDY]. That he is with his colleagues again is an indication that many fervent prayers, on both sides of the aisle, have been answered.

I am particularly glad to express my gratitude that he is here once more because of his notes of encouragement to me during the campaign of 1954. Recently I had the privilege of addressing a traditional and famous forum in the home city of the junior Senator from Massachusetts—the Ford Hall Forum.

When I referred favorably to the junior Senator from Massachusetts upon that occasion, the enthusiastic and spontaneous reaction of that large audience left no doubt as to the warm place which Senator KENNEDY occupies in the hearts of his constituents. I feel sure that their prayers and hopes and

good wishes have been with him during his illness, and that this support from so many devoted people undoubtedly helped to hearten and encourage him.

I think it fitting, Mr. President, that some of the items in the press which have heralded the safe return of the junior Senator from Massachusetts should be printed in the RECORD at this point, and I ask unanimous consent that that may be done. They pay tribute to a man who has written a book about the United States Senate while confined to a sick bed, and I am certain that we all wait with high anticipation Senator KENNEDY's forthcoming literary and historic contribution to the published material on this body.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Boston Herald]

TANNED KENNEDY RETURNS TO SENATE—
WARNS OF PERIL FOR UNITED STATES IN ASIA

(By Edward Michaelson)

WASHINGTON, May 23.—Smiling and heavily tanned, Senator JOHN F. KENNEDY returned to Capitol Hill today to an affectionate, bipartisan reception 7 months and 3 days after undergoing major spinal surgery.

NIXON WELCOME

He appeared in good shape, as he described his condition. The crutches he had needed to get about in the closing weeks of the 1954 session were missing.

"I threw them away a couple of days ago," he told a jam-packed press conference in his office late today. Atop his desk, as he spoke, was an enormous basket of fruit bearing the tag, "Welcome Home, Dick Nixon."

A call from KENNEDY's senior colleague, LEVERETT SALTONSTALL, brought another hearty "Welcome home, glad you're back."

KENNEDY's good-natured attitude and alertness as he answered questions ranging in subjects from his operation and a book he is writing to the significance of the Kremlin's wooing of Yugoslav dictator Tito, dispelled some of the gloomy rumors about his physical well-being that have circulated for years.

He indicated, however, that he was taking good care of himself as he assumes his duties on the Labor Committee and as chairman of a subcommittee on Government reorganization plans.

GETS NEW OFFICE

An office off the Senate Chamber which is assigned to Senator BYRD has been made available to KENNEDY by the veteran Virginia Democrat. There, the Massachusetts Senator, who will be 38 years old Sunday, can spend much of his time between votes. Otherwise, he would have to shuttle between the Capitol and his Senate Office Building quarters.

The first vote comes tomorrow, when he will join in the attempt to override the Presidential veto of the postal pay raise bill. Later in the week there may be voting on the Federal highways program proposals.

KENNEDY has a crowded schedule of appearances in Massachusetts next month. The first, June 3, will be at Assumption College in Worcester. On June 9, he is introducing Democratic National Chairman Paul Butler at the \$100 a plate Jackson-Jefferson day dinner in Boston.

He also, is dedicating a new home for the aged in east Boston, and introducing the Italian ambassador to Washington at a dinner in the latter's honor in Boston.

WILL ATTEND REUNION

In addition, he will attend the 15th reunion of his Harvard class. Some of his

classmates were on hand at National Airport today when the Senator, his wife and his sister, Jean, arrived from Palm Beach. They were greeted by Mrs. Kennedy's mother, Mrs. Hugh Auchincloss of Newport, R. I., and nearby McLean, Va., and Mrs. Robert F. Kennedy, the Senator's sister-in-law.

From the airport, the Senator and Mrs. Kennedy and two aides, Administrative Assistant T. J. Reardon, Jr., and Legislative Secretary Theodore Sorensen, drove to the Congressional Hotel, where the Senator and his wife will stay for the next several days.

When the Senator later posed for newsreel and TV cameramen on the Capitol steps, he was welcomed by numerous tourists and former associates in the House of Representatives. Also very much in evidence was a longtime friend, Capitol Policeman John O'Leary of Somerville, Mass.

The Senator elicited laughs at the press conference when asked about President Eisenhower's prestige today as compared with a year ago.

"His popularity seems to be standing up in Palm Beach pretty well," he observed.

NEED POSITIVE PLAN

He said he thought the Democrats would have to present an effective, positive program next year to wage a successful presidential campaign, rather than go after Mr. Eisenhower hammer and tongs as former President Truman recently advised.

This was his answer to a question as to whether the Democrats should pinpoint responsibility directly on President Eisenhower for any mistakes made by his administration.

Kennedy observed that the Democratic Party was in good shape, judging from gains in recent local elections around the country. He emphasized, however, that nationally, the big issue is foreign policy, specifically in the Far East.

"I don't think the domestic issues are comparable," he said.

He said the administration, while responsible for foreign policy decisions, was influenced by Congress, particularly the Senate, and that the administration had erred in its estimates of Red military might by "guessing short" on Soviet air and army strength.

SAYS CUTS WRONG

He made clear that even though Mr. Eisenhower was an able soldier and successful commander that the decisions to "cut the Army and Air Force were both wrong."

"I don't think there is any doubt events will prove those of us who opposed such cuts were right," he said.

He also said he considered the Indochina situation a lot more important than what happens to the offshore Nationalist Chinese outposts of Quemoy and the Matsus. While the Communists in Europe are not likely to provoke war, the situation in Indochina is perilous, in his view.

"In the Far East you don't have a frozen line—a sharp, divided line as you do in Europe," he said.

He said the forthcoming Viet-Nam elections placed the United States at a psychological disadvantage and the division among Asians as to the merits of our position made the Indochinese situation extremely critical, particularly in the absence of a specific line as prevails in Europe between communism and the West.

[From the Boston Post]

SENATOR KENNEDY BACK IN EXCELLENT HEALTH

(By John Kelso)

WASHINGTON, May 23.—Flashing a broad smile, Senator JOHN F. KENNEDY, of Massachusetts, returned today to Capitol Hill after an absence of several months caused by surgery to correct a World War II back injury.

The youthful Democrat—he will be 38 a week from today—limped noticeably, however, as he ascended the Capitol steps for the benefit of a large contingent of photographers.

But he turned down a ride in his convertible from the Capitol to his office, a distance of about 300 feet, to walk through the park with his pretty wife, Jacqueline. As they strolled along together, the Senator appeared to be favoring his left leg.

Police Officer John O'Leary, of Somerville, Mass., was prepared to drive the Senator and his wife to his office where he was to hold a press conference that turned out to be heavily attended.

DOESN'T USE CRUTCHES

On the drive in from the airport this noon, after his arrival from West Palm Beach, Fla., where he had been convalescing at the home of his parents, Theodore J. Reardon, Jr., his administrative assistant, was at the wheel.

At no time during the afternoon did the Senator use crutches, although both crutches and a wheelchair were in readiness at the airport.

Senator KENNEDY's features were tanned a golden brown and his hair was bleached out a little by days spent in the healing Florida sunshine.

He told newsmen that he will be on the floor of the Senate tomorrow when a vote is taken on a pay raise for postal workers.

The Senator, who obviously has kept well posted on national and international affairs during his prolonged absence, said he will vote to override the Presidential veto of the proposed 8.6 percent raise.

For the next few weeks, at least, he said, he will use the office in the Capitol itself of Senator HARRY S. BYRD, Democrat, of Virginia. This office is only a few yards removed from the Senate Chamber.

FRUIT BASKET FROM NIXON

The Senator said that he and his wife will also live at the Congressional Hotel, located on Capitol Hill across the street from the Old House Office Building.

Aside from experiencing some difficulty in walking—and it did not appear to be serious—the Senator looked to be in excellent shape. His face was fuller than it was last summer when he was in almost constant pain from his back.

As KENNEDY posed for pictures on the Capitol steps, a crowd of textile workers from the South appeared and greeted him enthusiastically.

When he entered his office, the secretaries there arose and applauded him warmly. Reaching his desk, he found a big basket of fruit from Vice President RICHARD M. NIXON, the Republican President of the Senate.

A few feet from the basket on the desk, and unnoticed by the swarm of newsmen, was a tropical shell on which KENNEDY, as a naval officer, had carved the position of his men and himself after their small craft had been overrun by a Japanese destroyer. This shell, which he had cast upon the Pacific waters, was mute testimony to the pain he has undergone for nearly a year.

ANSWERS QUERIES WITH CANDOR

No sooner was he seated at his desk, than newsmen began shooting a series of questions at him which dealt with the national and international scenes. He answered all of them with candor and ease.

He explained that he will resume work immediately on the committees of which he is a member. One of them, dealing with the reorganization of the Government, is under his chairmanship. The other committees are now concerned with minimum wage and education bills.

Senator LEVERETT SALTONSTALL, Republican, of Massachusetts, telephoned KENNEDY dur-

ing the afternoon. "Welcome back," SALTONSTALL said. "I'm glad to be back," KENNEDY replied. "I'll see you on the floor."

KENNEDY told reporters he will be in Massachusetts for a period of several days the first of next month. His schedule calls for him to speak at the Assumption College, in Worcester, on June 3. His Massachusetts visit will conclude with his attendance at the 15th reunion of his class at Harvard on June 16.

[From the New York Times]

SENATOR KENNEDY RECOVERS AND RETURNS TO THE JOB

WASHINGTON, May 23.—Senator JOHN F. KENNEDY, Democrat, of Massachusetts, returned to duty today from a 7-month absence made necessary by major operations. The surgery was required by wounds he suffered during World War II as commanding officer of a motor torpedo boat. At a press conference, Senator KENNEDY, who looked brown and strong, remarked that he had thrown away his crutches only a few days ago and found walking still a bit tiring. He said he had tried to keep his hand in during his convalescence at Palm Beach, Fla., by reading the CONGRESSIONAL RECORD every day. "An inspiring experience," he quipped. Asked about the political situation and specifically whether President Eisenhower's popularity remained high, Mr. KENNEDY smiled and said: "It seems to be holding up pretty well—in Palm Beach, anyhow."

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

FEDERAL-AID ROAD CONSTRUCTION PROGRAM

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 1048) to amend and supplement the Federal-Aid Road Act approved July 11, 1911 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. CHAVEZ], which will be stated.

The LEGISLATIVE CLERK. On page 20, after line 10, it is proposed to strike out the following:

SEC. 17. Any State desiring to accept the benefits of section 2 of this act shall submit, through its State agency, a State plan for carrying out the purposes of this act. Such State plan shall provide that all laborers and mechanics employed by contractors or subcontractors on construction work performed on highway facilities projects in the National System of Interstate Highways approved under the plan, shall be paid wages at rates not less than those prevailing on

similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U. S. C. 276a-276a-5), and that every such employee shall receive compensation at a rate not less than 1½ times his basic rate of pay for all hours worked in any workweek in excess of 8 hours in any workday or 40 hours in the workweek, as the case may be. The Secretary of Labor shall have, with respect to the labor standards specified above, the authority and functions set forth in Reorganization Plan No. 14 of 1950 (15 F. R. 3176; 64 Stat. 1267), section 2 of the act of June 13, 1934, as amended (40 U. S. C. 276a), section 625, Public Law 725, 79th, second session, and section 205, Public Law 815, 81st, second session.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Texas will state it.

Mr. JOHNSON of Texas. As I understand the unanimous consent agreement, the distinguished Senator from New Mexico [Mr. CHAVEZ], who has offered the amendment, will control 1 hour, or one-half the time, on the amendment; and the distinguished minority leader, unless he favors the amendment, will control the remainder of the time. In view of the fact that I favor the amendment, is my understanding correct that the distinguished minority leader will control the time in opposition to the amendment?

The PRESIDENT pro tempore. The time in opposition to the amendment will, under the circumstances, be controlled by the minority leader.

Mr. JOHNSON of Texas. I thank the Chair.

Mr. CHAVEZ. Mr. President, the Senate Committee on Public Works, after long consideration, inserted in the bill, beginning on page 20, line 11, and extending through line 9 on page 21, what is known as section 17. That section would have included in the bill the so-called Davis-Bacon Act provisions, which are now applicable in the construction of hospitals and airports.

A few years ago the so-called Davis-Bacon provisions were made applicable to a large amount of governmental construction. I still favor those provisions, and I think the committee took the right stand when it included them in the bill. They would be applicable only to the interstate system. But, Mr. President, notwithstanding the fact that I think the Davis-Bacon Act provisions are fair and are in keeping with the protection of the rights of those who toil, I am not fooling myself. I know that, in many instances, legislation is a matter of compromise. At this very moment the American people are road conscious. They want to have roads constructed. We must have a road bill. So in order to satisfy some of the opposition to section 17, I offered the amendment which I am now discussing. It was not a question of my feeling that section 17 was not good; it was a question of trying to get together with other Members of the Senate in order to pass a road bill for the American people.

Yesterday the Senate kicked American labor, or at least the postal workers, on their proverbial trousers. It was not done with my vote; but the Senate took

that action. I feel that it was unfair. In my opinion, the provisions of section 17 are good.

My good friend, the distinguished senior Senator from Pennsylvania [Mr. MARTIN], has submitted an amendment which would substitute the purported administration bill for the committee bill. I know the provisions of the administration bill contain much gain for those in the road construction industry. Section 17 would protect labor and all who toil, but I know there is plenty of gain in the proposed administration bill for those who would invest in the program as it is outlined in that bill, to such an extent that the investors would make \$11 billion out of a \$21 billion investment. I hope that the investors will be as tolerant of the rights of labor as they are—

Mr. MARTIN of Pennsylvania. Mr. President, I wonder if the Senator from New Mexico will yield on the time of the opposition.

Mr. CHAVEZ. I shall be delighted to do so.

Mr. MARTIN of Pennsylvania. How much will the investor get by reason of deficit financing, as is provided in the committee bill, which is also known as the Gore bill?

Mr. CHAVEZ. I could not give the Senator from Pennsylvania exact figures, but I know a profit of \$11 billion on a \$21 billion investment certainly is not in keeping with the conscience of the American people. Deep in my heart I feel that way because I have seen statements published in investment journals to the effect that the so-called administration bill would be good for the investors. What is sought to be done by the committee bill is to build roads, and not make road building an investment proposition.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator from New Mexico yield again, under the same conditions?

Mr. CHAVEZ. I yield.

Mr. MARTIN of Pennsylvania. Is there any provision in the Gore bill to terminate the deficit financing? For example, there will be deficit financing of this program to the extent of \$7 billion. There will be interest on that amount. Is there any plan to liquidate that deficit?

Mr. CHAVEZ. I shall let the distinguished Senator from Tennessee, who has handled the bill on the floor, answer the Senator's question.

Mr. GORE. There are some similarities in the two bills before the Senate, as well as differences. One similarity is that neither bill provides any source of revenue. Another is that neither bill contains any element of self-liquidation. There is more deficit financing in the administration bill than there is in the committee bill.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator yield further, under the same conditions?

Mr. CHAVEZ. I yield.

Mr. MARTIN of Pennsylvania. In the administration bill, provision is made for revenue—

The PRESIDENT pro tempore. The Chair wishes to state that according to

the unanimous-consent agreement, under which the Senate is now proceeding, the time would have to be charged to the Senator from New Mexico.

Mr. MARTIN of Pennsylvania. What I asked, Mr. President, was that the time for my remarks be charged to our side.

The PRESIDENT pro tempore. The senior Senator from California has control of the time in opposition to the amendment.

Mr. KNOWLAND. I yield 5 minutes to the distinguished Senator from Tennessee.

Mr. GORE. Mr. President, does the Senator from Pennsylvania wish to catechize me on this point?

Mr. MARTIN of Pennsylvania. Possibly it would expedite the debate on the amendment if this question were discussed later on the time of the opposition. I am very sorry more Senators are not on the floor now. This is one of the most important matters which has confronted the United States for many years. Two plans are before the Senate. I should like the people of America, and especially the Members of the Senate, to understand them. But I do not believe it will avail us anything to discuss the question now, because so few Senators are present. Later in the day more Members may be in the Chamber.

Mr. CHAVEZ. I should like to ask the Senator from Pennsylvania if it is not a fact that under the provisions of the so-called administration bill the bulk of the money will go to the interstate system. Is not that correct?

Mr. MARTIN of Pennsylvania. The same amount of money as the 1954 act provides would be used for the primary, secondary, and urban systems. Then the money above that amount, which is about \$622,500,000, would be applied to the interstate system. The substitute would not raise taxes; it would simply allocate the taxes for the purpose of liquidating the bonds, as provided in the administration bill.

Mr. CHAVEZ. But the Senator from Pennsylvania has not answered the question, or at least I did not understand that he answered it. The question is, Is it not true that under the so-called administration bill the bulk of the money provided for would go to the interstate system?

Mr. MARTIN of Pennsylvania. That is correct.

Mr. CHAVEZ. Let me ask the Senator another question. Is it not also true that so far as primary, secondary, and farm-to-market roads are concerned, the substitute would freeze the present funds for 30 years?

Mr. MARTIN of Pennsylvania. Mr. President, in reply to the distinguished Senator from New Mexico, who has given so much thought and attention to roads and other public works projects, I may say that the money the States now use on the interstate system would be released, and they could then apply it to the primary, secondary, and urban systems of the various States.

Mr. CHAVEZ. Yes; but so far as the Federal Government is concerned, so far as the bill which the Senator wants substituted for the Gore bill is concerned,

are not the present amounts frozen for a period of 30 years?

Mr. MARTIN of Pennsylvania. But, Mr. President, a sufficient amount of money would be available to the States, I think as much as the great majority of the States would be able to match. The fact of the matter is that in Pennsylvania, as is the case in certain other States, we have a remarkably good road system. There is now before the Pennsylvania State Legislature a bill to increase the gasoline tax 1 cent, in order that the State may match the funds from the Federal Government.

Mr. CHAVEZ. I will go the Senator one better. The State of New Mexico has authorized the issuance of bonds in order to meet the requirements, so long as provisions are made by the Federal Government to do its share in constructing farm-to-market roads.

Mr. AIKEN and Mr. BUSH addressed the Chair.

Mr. MARTIN of Pennsylvania. Mr. President, I do not have the floor.

Mr. AIKEN. Mr. President, will someone yield so that I may ask a question?

Mr. CHAVEZ. Mr. President, I yield to the Senator from Vermont.

Mr. AIKEN. I thank the Senator. I shall make my question brief. Is there anything at all in the Martin substitute which would prevent any future Congress from making any appropriation it may see fit to make for primary, secondary, and farm-to-market roads?

Mr. MARTIN of Pennsylvania. Mr. President, I hope in a succeeding Congress, in line with orderly legislative procedure, the House Ways and Means Committee will recommend and the House will pass a bill providing by way of taxes, so that we may even accelerate the road program we are now contemplating. For example, provision might be made for tolls on bridges and tunnels in the interstate system. Probably a tax could be imposed on rubber. Perhaps a license fee should be imposed on trucks and buses which may use the interstate system.

Mr. AIKEN. There is no reason why receipts from any particular source should be earmarked, is there?

Mr. MARTIN of Pennsylvania. Any amount of money which may be desired may be taken out of the general fund, if the Congress so votes and the President approves.

Mr. AIKEN. If I know the disposition of the Congress, it will respond to whatever the public demands in that respect prove to be, and it will provide such funds as can properly be used for the primary, secondary, urban, and rural highways. By adding the President's interstate system, which will be of tremendous value to all the States of the Union, we would not in any way be undertaking to decrease the construction of better primary, secondary, urban, and rural roads.

Mr. BUSH. And there would be no limit.

Mr. MARTIN of Pennsylvania. The Senator is absolutely correct.

Mr. CHAVEZ. Mr. President, I should like to refer to section 105 which deals with this very question.

Mr. BUSH. Mr. President, to which bill is the Senator referring?

Mr. CHAVEZ. I am referring to the administration bill, on page 8, line 19, section 105. Mr. President, I should like to have the attention of the Senator from Pennsylvania.

The PRESIDENT pro tempore. The attention of the Senator from Pennsylvania is requested.

Mr. MARTIN of Pennsylvania. Mr. President, I am a soldier, and I am used to being subjected to discipline. When the leaders come to talk to me, I feel that I owe a courtesy to them to attend to what they are saying, because our two leaders have done such a magnificent job during this Congress, and I want to help in any way I can. I apologize to the Senator from New Mexico and to my colleagues for engaging in conversation.

Mr. CHAVEZ. There is nothing to apologize for. I appreciate the fine work of the majority leader and also of the minority leader. There is nothing to apologize for.

On page 8, in subsection (b), appears the language about which I was interrogating the Senator. I read, beginning on line 19:

There are hereby appropriated and there shall be paid by the Secretary of the Treasury to the Corporation for the fiscal year 1957, and for each fiscal year thereafter in which there are outstanding unmatured obligations of the Corporation, out of any moneys in the Treasury not otherwise appropriated, amounts equal to the revenue in excess of \$622,500,000 collected during each fiscal year.

That is the language, along with the rest of the section, which would freeze the \$622,500,000 for 30 years. Am I not correct?

Mr. MARTIN of Pennsylvania. Mr. President, there will be provided the amount required, but, as I stated in answer to the question of the distinguished Senator from Vermont, that does not prevent the Congress from providing for additional revenues by way of taxation, or even taking revenues out of the general fund.

Mr. CHAVEZ. That is correct. But I have seen legislation enacted over and over again, and I know what happens once the nose gets under the tent, notwithstanding the right of future Congresses to appropriate otherwise.

Mr. President, we got off the subject matter. I again wish to emphasize that I think section 17 belongs in the bill. I think section 17 is fair. I think it is in keeping with the American tradition. But I know that in many instances legislation is a matter of compromise, and I wish to have a road bill passed at this section. In the interest of harmony, in the interest of supplying plenty of work for American labor as a result of the construction of roads which would be constructed if Senate 1048 should be passed, I have decided to offer the amendment. I have done so in the interest of the harmony which is so much required, and in the interest of comradeship and compromise on a matter as to which Members of the Senate may disagree.

Mr. President, that is all I have to say on the amendment. I hope the Senate will take favorable action on it promptly.

Mr. HOLLAND. Mr. President, will the Senator from California yield one minute to me, so that I may address an inquiry to the Senator from New Mexico [Mr. CHAVEZ]? I was called out of the Chamber. I wish to address a question to the Senator from New Mexico, for I desire to be a sponsor of the amendment he has submitted, if the amendment is what I think it is.

Mr. KNOWLAND. Then I yield an additional minute for that purpose, Mr. President.

The PRESIDENT pro tempore. The Senator from Florida is recognized for 1 minute.

Mr. HOLLAND. I thank the distinguished Senator from California.

Let me ask the Senator from New Mexico whether I correctly understand that the amendment he has just submitted would strike out entirely from the bill the section which he and I have discussed, namely, the section which would impose the provisions of the Davis-Bacon Act and would provide for control by the Secretary of Labor, in the case of wages, standards of work, and so forth.

Mr. CHAVEZ. That is correct. However, I say that in offering the amendment, I do so contrary to my conscience.

Mr. HOLLAND. The amendment the Senator from New Mexico has submitted would strike out entirely that provision of the bill, would it?

Mr. CHAVEZ. That is correct. I know the amendment is agreeable to the Senator from Florida. I hope the remarks I made regarding the reason for submitting the amendment will also meet with the approval of the Senator from Florida.

Mr. HOLLAND. Mr. President, let me ask the consent of the distinguished Senator from New Mexico to be a joint sponsor of the amendment, along with him.

Mr. CHAVEZ. I shall be glad to have that done, provided the Senator from Florida agrees that American labor should be protected.

Mr. HOLLAND. Mr. President, I will not accept any conditions. I did not have an opportunity to hear what the distinguished Senator from New Mexico said. I am strongly of the opinion that the control should be left in the hands of the States, as it has been heretofore.

Therefore, Mr. President, I withdraw my request; and I thank the Senator from New Mexico.

Mr. McNAMARA. Mr. President—

Mr. KNOWLAND. Mr. President, I yield 10 minutes to the distinguished junior Senator from Michigan [Mr. McNAMARA].

The PRESIDENT pro tempore. The junior Senator from Michigan is recognized for 10 minutes.

Mr. McNAMARA. Mr. President, today we are considering a multi-billion-dollar road bill. There has been some discussion with regard to labor and as to whether the bill is fair to labor. As

I understand, the common construction of the term "labor," as generally used in parliamentary bodies, is organized labor.

Mr. President, organized labor does not need to have the Bacon-Davis Act written into this road bill. Some 30 years ago the construction industry established rather generally the 8-hour day in that industry. So this particular provision means nothing to organized labor, as such, for the 8-hour day is well established.

Therefore, Mr. President, who will be affected by the amendment? Let me say at the outset that in the modern construction of roads, comparatively small amounts of labor are used. There has been technological development in the construction industry, particularly in the construction of roads, just as has occurred in all other American industries.

So the proponents of the amendment are saying that the 8-hour day shall not apply, even though a comparatively small amount of labor is involved in this tremendous, multi-billion-dollar road program. Mr. President, I say that is most unfair. For a Senator to state in this Chamber that he is entirely in favor of having the bill include a provision that the Bacon-Davis Act shall apply, and then for such a Senator to submit an amendment to make the application void, is a kind of double talk that I do not understand.

Mr. President, the workers in the urban areas are not the ones who will need the protection of the Bacon-Davis Act. The ones who will need the protection of that act are the workers in the rural areas, namely, those who will be employed as truck drivers or who will be employed to work in gravel pits—in short, workers who will be employed by subcontractors throughout the Nation. They are the ones who will be taken advantage of unfairly if Congress eliminates the provision for the 8-hour day.

I wonder how many Senators have ever worked handling cement or sand or gravel for an 8-hour stretch. Eight hours a day is enough for one who is engaged in such laborious, back-breaking work.

Mr. CHAVEZ. Mr. President, will the Senator from Michigan yield to me for a moment?

Mr. McNAMARA. Mr. President, I am glad to yield to the distinguished chairman of our committee.

Mr. CHAVEZ. I wish to say to the Senator from Michigan that I have mixed concrete by hand—not for 8 hours a day, but for 12 hours a day. I know what that means.

Mr. McNAMARA. Mr. President, I do not know how that is pertinent to the question. I doubt that many Senators have worked for 8 hours a day handling cement, sand, or gravel. I would not brag about it if I had to work 12 hours a day, in the hot sun of summer or in the cold of winter, to make a living on a road job. Mr. President, 8 hours a day is enough for any man to put in.

The pending amendment is a backward step, Mr. President. To fail to rec-

ognize the 8-hour day in perhaps the largest construction job upon which our country has ever entered would be a backward step; it would make us go back at least 30 years. I am definitely opposed to the amendment.

I hope the Senate will reject the amendment. At the proper time I shall take whatever steps I can to have a yeand-nay vote taken on the question of agreeing to the amendment.

Mr. President, before I yield the floor, I desire to thank the distinguished senior Senator from California [Mr. KNOWLAND], the minority leader, for yielding to me sufficient time in which to make these few remarks.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from New Mexico [Mr. CHAVEZ].

Mr. KNOWLAND. Mr. President, I ask unanimous consent that at this time there may be a quorum call, but without charging the time required therefor to the time available to either side.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from California? The Chair hears none, and it is so ordered.

Mr. KNOWLAND. Mr. President, I now suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KNOWLAND. I now yield 15 minutes to the junior Senator from Oregon [Mr. NEUBERGER].

The PRESIDENT pro tempore. The junior Senator from Oregon is recognized for 15 minutes.

Mr. NEUBERGER. I thank the distinguished Senator from California for yielding to me.

Mr. President, I should like to associate myself with the remarks which have been made by the distinguished junior Senator from Michigan [Mr. McNAMARA] on the Davis-Bacon provision of the bill.

In the Subcommittee on Roads, I was the sponsor of the proposal to include in the bill the provision incorporating in it the provisions of the Bacon-Davis Act. It was upon my original suggestion that a majority of the subcommittee and, later, a majority of the full committee voted to include in the bill this humanitarian provision.

I regret that the distinguished chairman of the committee, for whom I have great respect and admiration, has seen fit to submit an amendment which would strike out of the bill the Bacon-Davis Act provision—a provision which has been included to protect the working standards and working conditions of the men who will build our interstate highway system.

Mr. President, I realize that practical politics dictates that this provision of the bill be removed from it. It has been said here on the floor that this par-

ticular highway bill cannot be passed by Congress if there is retained in the bill the provision which now applies to the construction of airports with Federal aid, the construction of hospitals with Federal aid, and the construction of schools with Federal aid, namely, the provision which protects the working standards of the men who build them.

Mr. President, I am not a practical politician. If I were, I doubt that I would be a Democrat in a State which only once before in its history has popularly elected, at the polls, a Democrat to the Senate of the United States. I am the first Democrat to be elected to the United States Senate from the State of Oregon in 40 years, and only the second Democrat to be elected at the polls in Oregon. So if I were a practical politician, I probably would not be a Democrat in a State with that political history.

But, Mr. President, I believe that the American people are idealistic in their approach to the problems of government. I believe that if the Democratic Party has anything to offer the American people, it is an idealistic approach. I believe that when the Democratic Party says to its members that we must strike from this vast highway bill a provision put in to protect the workers who will build the interstate highway system, the Democratic Party is not being true to the traditions on which it was founded, and the program on which it has won the allegiance of the majority of the American people through most of the elections which have occurred in the past quarter century.

This provision is not a revolutionary thing. This is nothing unique. The Davis-Bacon Act has applied to much Federal construction. It was written into the law many years ago—I believe under the administration of President Hoover. The Davis-Bacon Act merely says that where Federal aid is provided in the form of funds there must be obedience to a certain standard to protect the working conditions of the men who are paid with Federal funds. I believe that is the sort of issue which the American people identify with the vast majority of the Democratic Party.

I repeat that I do not believe the Democratic Party is being true to its traditions, to its programs, and to its promises when it deliberately removes this humanitarian section from the bill in order to pass the bill through the Senate, in the name of practical politics. That is why I agree with what was said in defense of this provision by my distinguished colleague, the Senator from Michigan [Mr. McNAMARA].

SCOPE OF THE EFFECT OF S. 1048 ON EMPLOYMENT IN ROAD CONSTRUCTION

S. 1048 would pour \$7,750,000,000 in Federal funds into the interstate system over the 5 years 1957-1961, on a 90-10 percent Federal-State basis. This is in addition to an expanded program for the other subsidiary highway systems, totaling \$4,500,000,000, to which the Davis-Bacon provisions are not to be extended. This great Federal program will

give an immense impetus to road construction all over the Nation.

In 1954, about \$3½ billion was spent on all roads in the United States, and, according to the Department of Labor, average monthly employment on all road work, Federal, State and local, was 231,600 men.

By the time the proposed highway construction program goes into full swing, 1958, it may be estimated that about \$6 billion will be spent on road construction, with average employment rising to about 400,000 men. On this basis, it may be estimated that from 100,000 to 150,000 men will be employed on the interstate highways, to which section 17 is applicable.

A REAL NEED FOR REQUIRING PREVAILING LABOR STANDARDS

Some highway construction contractors operate under union contracts and maintain fair standards of wage scales for the various skills needed in construction, as well as of overtime for work beyond 8 hours a day, 40 hours a week, and on weekends. In addition, their union contracts may cover employer contributions towards certain fringe benefits.

Other contractors often do not maintain such high labor standards.

In the absence of any laws setting fair labor standards for public construction work, contractors with the lowest labor standards could necessarily underbid high labor standard contractors for construction contracts.

In other words, federally financed projects would be forced to discriminate against contractors who, under labor agreements or otherwise, maintain high labor standards, and to give contracts instead to the contractor who can recruit the cheapest labor—perhaps from distant areas—to underbid the high-standard humanitarian contractor.

MINIMUM WAGE STANDARD NO PROTECTION OF VALUE

A proposed alternative administered by the Secretary of Commerce, under which State highway departments predetermine minimum wages for construction contracts, offers no protection to the contractor paying prevailing wages and overtime. Obviously minimum wages are the lowest for which labor may be had, without regard to standards which may have been established as prevailing by legitimate local contractors.

While the minimum rates predetermined by the highway departments only set minimums for three categories—skilled, intermediate, and unskilled labor—"prevailing rate of wages" means the rate paid to the majority of those employed in the corresponding classes of laborers or mechanics on projects that are similar to the contract work.

These regulations break down the crafts much more specifically than merely skilled, intermediate, and unskilled. They stem from the Davis-Bacon Act.

Obviously, neither workers on construction projects nor high-standard contractors bidding on such projects can expect any real protection from highway departments' predetermination of minimum rates.

FEDERAL GOVERNMENT HAS RECOGNIZED PRINCIPLE OF REQUIRING PREVAILING WAGES FOR 24 YEARS

The Davis-Bacon Act to require payment of prevailing wages on direct, 100 percent Federal contracts was enacted in 1931, under President Hoover. It was amended in 1935 to provide for predetermination by the Secretary of Labor, who thus has had that responsibility for 20 years.

The appropriateness of such requirements of fair-labor standards on federally financed construction has since been so widely recognized that Congress has included them in a number of grant-in-aid and even loan programs. All of these involve far smaller percentages of Federal funds than the 90 percent Federal share in the interstate highways.

Such examples include:

The Federal Airport Act: The normal Federal contribution is 50 percent, with up to 62½ percent in the western public land States. This act provides for predetermination of prevailing wages by the Secretary of Labor.

The Hospital and Construction Act requires compliance with the Davis-Bacon Act. Federal share runs between one-third and two-thirds, usually near one-third.

The School Survey and Construction Act also requires compliance with the Davis-Bacon Act. The Federal contribution here differs greatly from case to case, with the degree to which the school district is federally affected, but, of course, it usually runs far below 90 percent.

Other examples of similar provisions are housing legislation, including the slum clearance and urban renewal program of the Housing Act of 1954 and the FHA rental housing program, and the Lease-Purchase Act of 1954.

PROVISION CAN BE PROPERLY ADMINISTERED WITH FAIRNESS

The minority dissent from the report S. 1048 recognizes that "the Davis-Bacon Act is now applicable to highway work performed under direct Federal contract" on 100 percent federally paid projects, but it opposes the same principle on the 90 percent federally paid interstate highways. Yet if the public interest requires that highway construction personnel be paid the prevailing wage when the Federal Government pays 100 percent of construction costs, why not when it pays 90 percent? Why should that 10 percent make such a crucial difference? Why resort to a quibble?

Some of the objections to inclusion of the labor-standards provisions in S. 1048 are directed against possible maladministration by the Secretary of Labor. For example, opponents claim to fear that the Secretary may apply the high skill standards of the building industry in setting prevailing rates for highway construction. The Senator from Florida [Mr. HOLLAND] made much of the idea that highway construction is peculiarly unsuitable for fair-labor standards. Yet, as the Senator from Tennessee [Mr. GORE] cogently pointed out, highways are not so different from airports. And, according to the Clay report itself, about

one-third of the money spent on the interstate system is needed for structures such as tunnels, bridges, and viaducts, other than surfacing, structures which require the same kind and degree of skills as other vertical construction.

Another objection by the minority is that inclusion of the Davis-Bacon provisions would require "checking of upwards of 10 million payroll items for compliance with labor standards provisions."

I have been told that contractors must now send in their payrolls to show compliance with antikickback laws. The Davis-Bacon provisions would not in fact be enforced by the Secretary of Labor checking the payrolls for compliance. Violations would normally be reported and investigated on the complaints of workers, unions, or competing contractors.

The best answer to arguments based on possible maladministration of the law is, of course, that this is possible with any law, and that it is a matter to be taken up with the national administration. It does not contradict the principle of including fair labor standards provisions in the Highway Act, unless the opponents wish to repeal such provisions in the other laws set out above, and the Davis-Bacon Act itself.

REPUBLICANS RECOGNIZE OVERTIME PRINCIPLE ON FEDERAL-AID CONSTRUCTION

The provision of section 17 which requires time-and-a-half for work beyond 8 hours a day and 40 hours a week is just as important as the provision for prevailing wage determination under the Davis-Bacon Act. Overtime is an important item in labor agreements, so that unionized contractors will still be at a considerable disadvantage if competitors can work their employees overtime without extra pay.

The fairness of applying the 8-hour and 40-hour standard to federally paid construction has been recognized in S. 1204, sponsored by the Senator from New Jersey [Mr. SMITH], ranking Republican on the Labor Committee, and four other Republicans, namely, Senators IVES, PURTELL, and BENDER, all on the Labor Committee, and Senator CASE of New Jersey. This bill is intended to carry out a recommendation in the President's state of the Union message by recodifying the 8-hour laws to make overtime rates mandatory on all contracts "financed in whole or in part by loans or grants from" or insured by the Federal Government. S. 1204 may in some particulars be inadequate, but the principle of fair labor standards on all Federal-aid projects is broader than the modest objective sought in section 17 of S. 1048, which reaches only the Interstate highways to be built with 90-percent Federal funds. As the sponsor of section 17, it is reasonable for me to ask if the advocates of S. 1204 will be consistent and support my fair labor standards proposal.

In my opinion, this bill will not be the bill it ought to be unless it contains this provision to protect the working standards of the men who construct our interstate highway system.

I have been informed of two recent examples of out-of-State contractors underbidding local construction companies on the basis of substandard wages.

On a job in Beaver County, Pa., near Pittsburgh, last December, a contractor allegedly brought in an entire crew from North Carolina to take over a highway job, paying them 60 or 70 cents below the prevailing wage. He was picketed by local highway construction workers, and an injunction suit against the latter is now in court.

In another instance in recent months, a North Carolina contractor allegedly brought 500 men into New Hampshire, where they lived in tents along the highway on which they were working. Protests were finally successful in having these underpaid workers withdrawn from the job.

Contractors who are themselves committed to maintaining fair-labor standards, including fair wages and overtime pay, are as interested as the labor unions of the Nation in the protection of section 17. I ask unanimous consent to include telegrams received from contractors and representatives of the construction industry in support of section 17.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., May 24, 1955.

Senator RICHARD NEUBERGER,
Senate Office Building,

The National Electrical Contractors Association strongly endorses section 17 of S. 1048 (Gore highway bill) which would extend Davis-Bacon Act provisions to construction work subject to the bill. Enactment of this section would tend to equalize competition on this work and prevent uneconomic practices.

PAUL M. GEARY,
Executive Vice President,
National Electrical Contractors Association.

CHARLESTON, W. VA., May 24, 1955.

HON. RICHARD NEUBERGER,
United States Senate,
Senate Office Building,

Washington, D. C.:
Constructors Labor Council of West Virginia representing large segment of highway and heavy contractors in West Virginia approves application of prevailing wage rates for Federal-aid road projects.

NATHAN S. POFFENBERGER,
Attorney for Constructors Labor Council.

CLEVELAND, OHIO, May 24, 1955.

HON. RICHARD NEUBERGER,
Senate Office Building,
Washington, D. C.:

We of the Allied Contractors Association of Cleveland, Ohio, urge passage of support and embrace of the Gore highway construction bill. Therefore we urge you to do everything within your power to see that this bill is passed.

RAY SCHLOSS,
President,
The Allied Contractors Association.

ARCADIA, CALIF., May 23, 1955.

Senator NEUBERGER,
Senate Office Building,
Washington, D. C.:

Reference S. 1048 urge you support inclusion of section 17, which I understand would

require application of Davis-Bacon Act to all contracts under this bill.

THOMAS H. PAUL,
PETER KIEWIT SONS Co.

CLEVELAND, OHIO, May 24, 1955.

HON. RICHARD NEUBERGER,
Senate Office Building,
Washington, D. C.

We of the General Sewer and Water Contractors Association of Cleveland, Ohio, urge passage of support and embrace Senate bill 1048. Therefore we urge you to do everything within your power to see that this bill becomes the law of the land.

STEPHEN PARKER,
Executive Secretary, General Sewer
and Water Contractors Association.

Mr. NEUBERGER. Mr. President, before I conclude I should like to read a telegram I have received from the commissioner of labor of the State represented in part by the distinguished junior Senator from Tennessee [Mr. GORE], who is chairman of the subcommittee which considered the pending bill. The telegram reads as follows:

NASHVILLE, TENN., May 24, 1955.

HON. RICHARD NEUBERGER,
United States Senate, Senate Office
Building, Washington, D. C.

The general assembly of the State of Tennessee in 1953 enacted a law whereby the State department of labor would establish prevailing wage rates on all building and construction projects wherein any State funds were expended. This department has from experience found this act to be in the public's interest and we sincerely hope that Senate bill 1048 as amended to include the Davis-Bacon provisions is enacted into law.

W. H. PARHAM,
Commissioner of Labor.

Mr. GORE. Mr. President, will the Senator from Oregon yield?

Mr. NEUBERGER. I am glad to yield.

Mr. GORE. First, I wish to express my genuine appreciation for the fine cooperation and great contribution of the junior Senator from Oregon to the pending legislation. He was punctual and regular in his attendance. His intellect and energies were freely devoted to the deliberations of the subcommittee, and the entire committee benefited therefrom.

Moreover, it is very pleasant to work with the distinguished junior Senator from Oregon. I find him not only able, but affable, and, in addition, courageous.

Next, I wish to thank him for reading the telegram from the commissioner of labor of my State of Tennessee. Commissioner Parham is a very fine man, and a close friend. It was my privilege and honor at one time to occupy the position which he now fills.

I agree with the sentiment expressed in the telegram which the able Senator has just read. I expressed such sentiments on the floor of the Senate day before yesterday. I also expressed the sentiment at that time, however, that I thought the most important question before the Senate was the passage of a vigorous highway-improvement program. That is the question now before the Senate, together with the consideration of the pending amendment.

I thank the distinguished Senator from Oregon for yielding.

Mr. NEUBERGER. I thank the able Senator from Tennessee for his observations. I wish to say to the Senator from Tennessee that it has been a pleasure to work under his leadership, and that my admiration for the Senator from Tennessee long preceded my coming to this body.

Before I conclude, I wish to make several observations. In opposition to the Davis-Bacon provisions, a great deal was said on the floor of the Senate the other day about States' rights. I, too, favor States' rights. I served in the legislature of my State for a period of 7 or 8 years, and I appreciate the importance of State governments and of State sovereignty.

However, under the terms of the pending bill, the States will not pay for the interstate roads. Ninety percent of the funds will come from the Federal Government. If those who are so concerned about States' rights were to suggest that the States pay 90 percent of the money, or even 50, 60, or 70 percent of the money, I could well understand their abhorrence of any provision in the Federal law which would prescribe certain fair labor standards for the men who will build the highways. However, under the terms of the bill we are considering, 90 percent of the money to build the interstate highway system will come from the Federal Treasury. The Davis-Bacon provision merely provides for the protection of labor standards with respect to the men who build the interstate roads.

It seems to me the amendment is fair when we consider that similar provisions apply to Federal construction on which the contribution of the United States Treasury is only one-third or perhaps one-half of the total amount.

Something has been said about the American people being road conscious. They are road conscious. The American people are also conscious of the need to maintain decent wages and equitable hours and fair conditions under which men work.

It has also been said that the Davis-Bacon fair labor provisions could not apply to highways because highways are in rural areas. I do not believe that makes very good sense. Airports are in rural areas. Some of the hospitals built with Federal aid are in extremely small towns and in relatively remote areas. There has been no difficulty in applying fair labor provisions to airports, hospitals, and schools. Schools are also in rural areas.

I believe the Senate should retain the Davis-Bacon fair labor standards provisions in the highway bill. I believe it will not be nearly so good a bill or nearly so fair a bill or nearly so advantageous a bill to the Nation if it is enacted without provisions to protect the hours and pay and working conditions of the men who in all kinds of weather will construct the interstate highway system.

I thank the distinguished minority leader for yielding this time to me.

SECOND URGENT DEFICIENCY APPROPRIATION ACT, 1955

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business, S. 1048, the Federal Highway Act of 1955, be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 375, House Joint Resolution 310.

The PRESIDENT pro tempore. The Secretary will state the joint resolution by title for the information of the Senate.

The CHIEF CLERK. A joint resolution (H. J. Res. 310) making additional appropriations for the fiscal year ending June 30, 1955, and for other purposes.

Mr. JOHNSON of Texas. The distinguished chairman of the Committee on Appropriations, the Senator from Arizona [Mr. HAYDEN], is on the floor; the distinguished Senator from New Hampshire [Mr. BRIDGES], the ranking minority member of the Committee on Appropriations, is aware of this request, and has approved it; and the minority leader also has approved it. There is no opposition to the measure.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. HAYDEN. Mr. President, in brief explanation of the joint resolution, I should like to say that, as passed by the House and approved by the Senate Committee on Appropriations, the joint resolution provides \$263,475 to carry on the work of the Hoover Commission on Government Reorganization until June 30, and then for 90 days thereafter until its final liquidation.

The appropriation of \$25 million for the Veterans' Administration, which is a reduction of \$3 million under the budget estimate, is necessary because of the increased number of claims which have been presented. The committee decided not to restore the budget estimate, but to conform to the action taken by the House. The total amount available to the Veterans' Administration is \$600 million. Because the amount provided in the joint resolution is such a small percentage of the total sum, we felt the Veterans' Administration could get along with \$25 million.

I offer an amendment on page 2, line 7, after the word "Law", to insert "41", so as to make line 7 read: "by Public Law 41, 84th Congress."

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Arizona.

The amendment was agreed to.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

FEDERAL AID ROAD CONSTRUCTION PROGRAM

The Senate resumed the consideration of the bill (S. 1048) to amend and supplement the Federal Aid Road Act approved July 11, 1911 (39 Stat. 355), as

amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes.

Mr. KNOWLAND. I yield 10 minutes to the Senator from New Hampshire [Mr. COTTON].

Mr. COTTON. Mr. President, the remarks which have been made on the floor of the Senate this morning with reference to the amendment proposed by the distinguished Senator from New Mexico [Mr. CHAVEZ] to strike out of the bill the provisions relating to the application of the Davis-Bacon law might indicate, or cause readers of the RECORD and those who follow the debate to get the impression, that a deep and far-reaching and important principle is involved which has significance in the matter of labor relations.

In order that the record may be kept straight, I wish to take this brief time to call to the attention of the Senate certain facts which were discussed quite fully in the Committee on Public Works when the bill was being considered by that committee.

In the first place, the amendment offered by the distinguished Senator from New Mexico is a necessary amendment, not merely to propitiate someone, not merely to still some opposition to the bill which might otherwise prevent its being passed—although I appreciate the fact that it might have that effect—but because it clears away the underbrush and is necessary for practical reasons.

If in passing a Federal highway bill designed to build highways throughout the land, with emphasis on the interstate system, we inject into the measure the Davis-Bacon amendment, under which the Secretary of Labor in Washington will be called upon to establish certain standards of wages to be paid, we will create so much book work and so much confusion and so much red tape in the administration of the act that we will either increase the cost of the highways or reduce the miles which can be built, without conferring any real benefit on American labor.

I invite the attention of Members of the Senate to the minority views on the bill:

It has been estimated that some 4,000 contracts would be involved annually under section 17. This would require the checking of upwards of 10 million payroll items for compliance with labor standards provisions. In addition, there would be involved investigations and hearings on wages or other labor disputes growing out of the performance of the contract, and surveys of wage levels.

It should be borne in mind that the proponents of this part of the bill, the Davis-Bacon provision, themselves in committee voluntarily restricted its application to the interstate system and provided that it should not affect or extend to the primary, secondary, urban, and rural highways. That fact in itself is significant.

To establish a standard for all the highways throughout the country, including country roads, farm-to-market roads, roads being built by States and

by counties and by townships and by municipalities, and dirt roads, certainly would complicate the situation. As a matter of fact, the Davis-Bacon law was enacted some time in the early 1930's. At that time many States of the Union had not enacted suitable minimum-wage standards. Today most of the States are operating under such laws.

The Federal minimum-wage law is under scrutiny at the present time with a view to revising and correcting it. Every factor is being considered very carefully.

Therefore, when, without mature and lengthy deliberation, we inject into a sweeping highway bill, which reaches out into every State and into every town and into every county, a provision which places in the hands of the Secretary of Labor in Washington the power to determine local wages—and he apparently has indicated that he could rule that the whole United States is a locality—we are thoughtlessly and needlessly placing in the hands of one official in the Federal Government the power to complicate the whole system.

It has been suggested that the Davis-Bacon law applies to the building of hospitals, airports, and certain other projects. I submit, Mr. President, that that is a far different matter than its application, indiscriminately, to road construction because it would inevitably seep down from the interstate roads to the secondary, rural, and urban projects, and apply universally to projects all over the country—in metropolitan areas, in country areas, and in small communities.

Mr. ROBERTSON. Mr. President, will the Senator from New Hampshire yield for a question?

Mr. COTTON. I shall be happy to yield to the Senator from Virginia.

Mr. ROBERTSON. Is it not a fact that in the light of the interpretation made by the office of the Secretary of Labor with reference to the Davis-Bacon Act, if there is only one city in the Senator's State which has a recognized standard of labor, the Secretary of Labor could apply that standard to every rural community in the State?

Mr. COTTON. That is exactly correct; and I thank the Senator for his contribution.

Mr. CASE of South Dakota. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. I shall gladly yield if I may have a little more time.

Mr. CHAVEZ. Mr. President, I yield a little more time to the Senator from New Hampshire.

Mr. CASE of South Dakota. I think the able Senator from New Hampshire is bringing out some matters which may well be considered. We have been building roads for a great many years, but we have not yet had this proposition presented in any specific proposal. Since its appearance in the bill I have been receiving various communications on the subject. Some of the communications have brought out the point that where there is no predetermination of what the prevailing wage is, the contractor is placed in the position of having to play safe and make his bid on a

basis which takes into consideration the possibility of the highest rate paid in the State in which the project is to be constructed, or in what might be determined as a locality. In that case the bid would be unnecessarily high, with a resultant increase in cost to both the State government and the Federal Government.

I have thought that if the bill were to contain a provision of this sort, it should be accompanied by a clear requirement that a predetermined wage rate should be included in the advertised specifications, so that the contractor would know on what he was bidding. I thought the questions involved in a provision of this sort probably should be determined by an appropriate State agency rather than by a bureau in Washington. But, in any event, I think the subject is one which clearly should be thoroughly explored before it is tied into our permanent highway legislation. Therefore, in general, I am in accord with the ideas expressed by the Senator from New Hampshire.

Mr. COTTON. I thank the Senator. He emphasizes the main point I wish to stress. I am sure every Senator desires to do everything that is possible in guaranteeing that the use of Federal funds shall be made with fairness to labor; but the rather haphazard inclusion of a provision of this kind in a great Federal highway bill can also create confusion, have very meager results, and have very little impact on the wages to be paid. It would delay the work. Undoubtedly, in its administration, before the contract was even entered into the wage scale of the contractor would have to be submitted to Washington, and it would have to be checked, presumably by the Bureau of Public Roads, or possibly, by the Labor Department. It would cause untold delay in letting contracts, in acting on bids, in starting highway projects, and it might well increase the cost of highways. There have been estimates of increases in cost of from 10 to 20 or 30 percent.

Mr. President, this is not a labor bill; it is a highway bill. In due time we shall be carefully considering the question of increasing minimum wages throughout the country. I think almost all the States in the Union have been giving increasing attention to their minimum wage and fair labor standards laws. Therefore, the matter which I wish to have clearly appear in the RECORD is that when we vote on the amendment proposed by the distinguished Senator from New Mexico we shall not be casting a vote for or against labor. We shall be merely passing on the practicality of having in this complicated and complex measure a provision which can result in a tremendous amount of bookkeeping, a great deal of confusion, and cause incalculable added expense to a highway project. It is not likely to have much impact on the problem of wages to be paid.

I yield back the remainder of my time, Mr. President.

Mr. KUCHEL. Mr. President, I was asked to yield several minutes to the distinguished junior Senator from Tennessee [Mr. GORE]. He is not in the

Chamber at this time, so I should like to yield myself 5 minutes.

The PRESIDENT pro tempore. The Senator from California is recognized for 5 minutes.

Mr. KUCHEL. Mr. President, I am one of those who sincerely believe in the recommendations of the Commission created by President Eisenhower and headed by General Clay which asked the Congress to recognize the urgent need of immediate and accelerated Federal assistance to the 40,000-mile interstate road system of America. By way of recommendations for the supply of the necessary funds to accomplish that purpose, the Commission recommends that a Federal agency be created and that it be empowered to issue revenue bonds by which the moneys will be made available at once for the rapid construction by the Federal Government of a 40,000-mile interstate road system across the Nation. That is an American program for the American people and I support it enthusiastically.

I hope I may be given an opportunity later on to discuss that subject in more detail.

We have before us, Mr. President, a motion to delete the following section from the pending bill:

SEC. 17. Any State desiring to accept the benefits of section 2 of this act—

I observe, parenthetically, that that pertains to the interstate system in the pending legislation—

shall submit, through its State agency, a State plan for carrying out the purposes of this act. Such State plan shall provide that all laborers and mechanics employed by contractors or subcontractors on construction work performed on highway facilities projects in the National System of Interstate Highways approved under the plan shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U. S. C. 276a-276a-5), and that every such employee shall receive compensation at a rate not less than 1½ times his basic rate of pay for all hours worked in any workweek in excess of 8 hours in any workday or 40 hours in the workweek, as the case may be.

And so forth. I oppose the amendment to delete these provisions from the committee bill.

It has been suggested on the floor that the Democratic Party speaks for the working men and women of America, and that the Republican Party does not. I deny that. The pending motion has been made by Democrats in the Senate. If section 17 is deleted from the bill, it will be deleted because of votes in favor of the amendment on both the Democratic and the Republican sides of the aisle. If section 17 remains in the bill, it will be because some of us on the Republican side will be joined by some on the Democratic side to constitute a majority against a motion sponsored by Democrats.

The question whether the Davis-Bacon Act shall apply to the interstate highway system, which I might add will be paid for almost entirely by Federal funds, has nothing to do with partisan politics; it has solely to do with whether the Senate desires to indicate, in the proposed high-

way legislation now before it, that the prevailing wages on similar construction in the particular locality, as determined by the Secretary of Labor, shall apply to those Americans who may earn their livelihood from a multi-billion-dollar Federal road-building undertaking which, to my mind, constitutes an urgent need for all the people of the United States.

The PRESIDENT pro tempore. The time of the Senator from California has expired.

Mr. KUCHEL. Mr. President, I yield myself 1 additional minute.

The PRESIDENT pro tempore. The Senator from California is recognized for 1 additional minute.

Mr. KUCHEL. I therefore suggest to my friends on both sides of the aisle that they now indicate to the American people that the prevailing wages in the appropriate locality will be the basis on which working people will be paid under this measure. That is the way it is in California; that is the way it ought to be throughout the country.

I voted for this provision in committee; I shall vote on the floor to retain it in the bill. I shall do so in no partisan sense, but as a United States Senator, answerable to my own conscience and to the people of California as to what I ought to vote for and what I ought to vote against. I find no sound argument against making the Davis-Bacon Act, which has been in existence for many years, apply to the proposed Federal highway legislation which is now being considered.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from New Mexico.

Mr. CHAVEZ. Mr. President, I yield 10 minutes to the distinguished senior Senator from Virginia.

Mr. BYRD. Mr. President, I rise in support of the amendment of the Senator from New Mexico to delete section 17 of the bill, beginning on line 11, page 20, and extending through line 9, on page 21.

This section refers to the application of the so-called Davis-Bacon Act to the construction of roads in the interstate system. Up to this date, the Davis-Bacon Act has never applied to the construction of any roads, except those in the national forests; in fact, I think it has applied only to the construction of hospitals and airports on Federal-aided projects.

Under the Davis-Bacon Act the prevailing wage rate is fixed by the Secretary of Labor for an arbitrarily determined geographical area. The prevailing rate is almost invariably the highest rate in the geographical area.

An instance of this was called to my attention when a hospital in the city of Winchester, Va., obtained a grant of funds. The Secretary of Labor fixed the wage rate for Winchester as that of the District of Columbia, which is 72 miles away. The labor conditions are entirely different. The result was that while the hospital obtained a grant of \$500,000 for its construction, much of that grant was wiped out—because all the construction work was required to be done under the

prevailing wage rate of the District of Columbia—by reason of compelling the payment of wages much higher than the prevailing rates of the locality.

That is what will happen if section 17 is permitted to remain in the Gore bill, because highway construction, as we all know, will be in operation all over the United States. While the provision technically applies only to contracts for the interstate system, it would be foolish to assume that the application of the prevailing wage rate as determined by the Secretary of Labor would not spread to virtually every highway program in the country—primary, secondary, urban, State, and county.

Roadbuilders who contract for construction on the interstate system also contract for the construction of roads on other systems. It would be impossible for such contractors to pay one scale of wages on the interstate system and other scales of wages on the other roads.

Under the Davis-Bacon Act, the Federal Secretary of Labor arbitrarily defines geographical areas for prevailing wage rate purposes. The Boston wage rate may be prescribed for road construction in New Hampshire, just as the District of Columbia rate was applied to construction work on a hospital in Winchester, Va., 72 miles from Washington. In all probability, if section 17 were retained in the bill, and the bill were passed, it would cause endless confusion and would increase the cost of highway construction conceivably to a point where Federal appropriations practically twice their current size would build no more highways than are being built today.

I have been told that if this provision were applied to the building of roads, it would increase construction costs approximately 20 percent.

As I understand, the cost estimates in the Clay Committee report were not calculated on Davis-Bacon rates.

Therefore, I hope the provision will be deleted from the bill.

Mr. BARKLEY. Mr. President, will the Senator yield for a question?

Mr. BYRD. I yield.

Mr. BARKLEY. The Davis-Bacon law has been in effect for a long time. I do not recall when it was enacted, but it has been in force for a good many years. The Senator from Virginia does not advocate, does he, that construction labor on the highways shall be paid less than the prevailing wages in the locality where the labor is employed?

Mr. BYRD. Not in the locality where the labor is employed; but that is not the way the Davis-Bacon Act is administered. I just cited an instance.

Mr. BARKLEY. Of course, the Senator has cited probably an extreme instance, because Virginia is close to the District of Columbia.

Mr. BYRD. Winchester is 72 miles from the District of Columbia. It is not influenced by business conditions in the District.

Mr. BARKLEY. The great State of Virginia, which is so ably represented, in part, by my friend who now has the floor, has many advantages by reason of its proximity to Washington which might

offset the disadvantages to which the Senator has referred.

I do not know how far, by mileage, the Secretary of Labor would regard the area of a locality to be. It might depend on the circumstances. It might be more in one case than in another. But it seems to me, superficially thinking of the matter, that it would be rather odd for the Senate to vote, in effect, that those who work on the highways shall receive less than the prevailing wage in the locality where they are employed.

Mr. BYRD. I have no objection to paying the prevailing wage for that locality.

Mr. BARKLEY. What practical objection or disadvantage, then, would come from applying the provisions of the Davis-Bacon law?

Mr. BYRD. It would come from the interpretation of the law by the Secretary of Labor and of the prevailing wage for the locality involved. He could interpret it any way he pleased.

Mr. BARKLEY. That would depend on the definition of "locality." How large a locality?

Mr. BYRD. That question would be determined by the Secretary of Labor. He would have arbitrary power to decide.

Mr. BARKLEY. No one could determine the question except the Secretary of Labor. It could not be left to each separate State to determine what the prevailing wage would be, because it would be different in each State.

Mr. BYRD. The Davis-Bacon Act applies only to airports and hospitals which are constructed with Federal money. There are many other Federal activities, involving aid, affecting projects all over the country to which the Davis-Bacon Act does not apply.

Mr. BARKLEY. I realize the act does not apply universally to all projects in which the Federal Government has invested.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the junior Senator from Oregon.

The PRESIDENT pro tempore. The Senator from Oregon is recognized for 5 minutes.

Mr. NEUBERGER. Mr. President, the argument which has been made today against including the Davis-Bacon provisions in the Highway Act could have been made almost equally well against its long-standing inclusion in the acts providing for Federal aid for hospitals, schools, and airports. I have tried to find if there has been any general movement anywhere in the United States to repeal the fair-labor standard provisions as they apply to hospitals, schools, and airports, and I have found none. If it is so unsound to provide for the payment of the prevailing wage for labor employed in the construction of highways, why has there not been any agitation to rescind such provision as it applies to airports, schools, and hospitals?

The distinguished senior Senator from Virginia [Mr. BYRD] made the point that the inclusion of the provision might increase the cost of building the roads. I say that has not been proved.

Conversely, I say that if we made it possible for a worker to be paid \$1 or \$2 a day, we would cut down the cost of roads, or anything else, for that matter, in the construction of which the Federal Government is involved, whether it be the building of aircraft carriers or schools. But is that what we want?

It seems to me that the argument about roads being in rural areas, and therefore being different from any other type of construction, is not valid. To begin with, what is wrong with paying a decent wage in rural areas? The people in those areas have to eat. They have to educate their children and pay medical costs. They are human beings. They are no different from people in the cities.

Furthermore, I say there are hospitals, schools, and airports in rural areas. I dare say that Oregon has as lonely and vast and rural an area as has any State represented by any Senator who has spoken against this amendment, and in Oregon there are airports, schools, and hospitals in some of the loneliest, most remote areas of the United States of America.

I know of no agitation to rescind the fair-labor provisions as they apply to the construction of schools, hospitals, and airports. Therefore, I think there is every good reason why the fair-labor standard provision, which gives assurance that the men who build the interstate roads shall be paid the prevailing wages, should remain in the bill.

Mr. President, I ask unanimous consent to include with my remarks a telegram from Joseph V. Moreschi, international president of the A. F. of L. Hod Carriers and Building and Common Laborers Union of America, which I have just received on the floor of the Senate.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., May 24, 1955.

HON. RICHARD L. NEUBERGER,
Senator from Oregon,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: On behalf of the approximately 500,000 members of this union who are employed primarily in the construction industry, I wish to extend their sincere thanks and appreciation for your support in having the Federal-aid highway bill S. 1048, as reported out, include the prevailing wage and hours provision. Your interest on their behalf has been transmitted by letter to the entire membership of our union in your State. Your continued support for these vital, human, decent provisions is earnestly solicited on behalf of the fair contractors, our membership, and their dependents in your State. The attempt to have the bill amended on the floor to let the State engineer determine a minimum wage would if passed create chaos in this national industry. This is exactly what our membership opposes, because experience has shown that it proves worthless.

We request simply in accordance with time-tested principles where Federal money is involved that the Federal Government itself determine the prevailing local rate. There is no better avenue for determining

prevailing wages than the Department of Labor where the machinery is already available.

Sincerely yours,

JOS. V. MORESCHI,
General President, International
Hod Carriers and Building and
Common Laborers Union of
America (AFL).

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, without the time being charged to either side.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Fulbright	McNamara
Allott	George	Millikin
Anderson	Goldwater	Monroney
Barkley	Gore	Morse
Barrett	Green	Mundt
Beall	Hayden	Neely
Bender	Hennings	Neuberger
Bennett	Hickenlooper	O'Mahoney
Bible	Hill	Pastore
Bricker	Holland	Payne
Bridges	Hruska	Potter
Bush	Humphrey	Purtell
Butler	Jackson	Robertson
Byrd	Jenner	Russell
Capehart	Johnson, Tex.	Saltonstall
Case, N. J.	Johnston, S. C.	Schoeppel
Case, S. Dak.	Kefauver	Scott
Chavez	Kennedy	Smathers
Clements	Kerr	Smith, Maine
Cotton	Kilgore	Smith, N. J.
Curtis	Knowland	Sparkman
Daniel	Kuchel	Stennis
Dirksen	Langer	Symington
Douglas	Lehman	Thurmond
Duff	Long	Thye
Dworshak	Magnuson	Watkins
Eastland	Malone	Welker
Ellender	Mansfield	Williams
Ervin	Martin, Iowa	Young
Flanders	Martin, Pa.	
Frear	McClellan	

Mr. CLEMENTS. I announce that the Senator from Montana [Mr. MURRAY] is absent by leave of the Senate to attend the International Labor Organization meeting in Geneva, Switzerland.

Mr. SALTONSTALL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from New York [Mr. IVES], and the Senator from Wisconsin [Mr. MCCARTHY] are absent on official business.

I also announce that the Senator from Wisconsin [Mr. WILEY] is necessarily absent.

The PRESIDENT pro tempore. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. CHAVEZ].

Mr. KNOWLAND. Mr. President, I yield 2 minutes to the senior Senator from Oregon [Mr. MORSE].

Mr. MORSE. Mr. President, all I wish to say in opposition to the amendment is that I believe the Davis-Bacon Act as it has applied to other Federal projects has been what we call a leader in setting fair wage rates in this country. The Davis-Bacon Act has been a great stimulus to industry generally. It has served as a bellwether. It has been ef-

fective in assuring more decent standards of living to American workers in leading American industries.

The workers who benefit under the Davis-Bacon Act set a standard for workers generally.

I believe it would be an unfortunate step of retrogression to adopt the amendment. I believe it would be a great injustice to the construction workers of the United States. In State after State the principle of the Davis-Bacon Act has been applied to Federal projects generally. Here we expect the Federal Government to appropriate 90 percent of the cost of a project in respect to Federal participation. I cannot imagine the Senate moving back 20 years in labor progress. That is what we would do if we adopted the amendment. It would endanger for some time the Federal roadbuilding program, because there would be lost the support of the workers of the country for an act which, if adopted with the Davis-Bacon provision included in it, would mark a long step forward in providing a sound highway program.

I know pretty well how deeply concerned American labor is over this very important amendment. I do not believe we should slap labor in the face by the adoption of the amendment.

The PRESIDENT pro tempore. The time of the Senator from Oregon has expired.

Mr. McNAMARA. Mr. President—
The PRESIDENT pro tempore. Does either side yield some time to the Senator from Michigan?

Mr. McNAMARA. I merely wish to ask for the yeas and nays on the pending question.

The PRESIDENT pro tempore. Is the request sufficiently seconded?

The yeas and nays were not ordered.

Mr. DOUGLAS. I suggest the absence of a quorum.

The PRESIDENT pro tempore. All time is controlled, and the Senator's suggestion of the absence of a quorum is out of order, unless time is yielded to him for that purpose.

Mr. DOUGLAS. I appeal from the ruling of the Chair.

The PRESIDENT pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. JOHNSON of Texas. Mr. President, on that question I ask for the yeas and nays, and I ask unanimous consent that the time consumed by the vote be charged to both sides.

The PRESIDENT pro tempore. The yeas and nays have been requested.

Mr. DOUGLAS. Mr. President, I withdraw my motion.

The PRESIDENT pro tempore. The Senator's withdrawal comes too late. The question is, Shall the judgment of the Chair stand as the judgment of the Senate? [Putting the question.]

Mr. BARKLEY. Mr. President, a parliamentary inquiry.

Mr. BUTLER. Mr. President, a parliamentary inquiry. Have the yeas and nays been ordered?

The PRESIDENT pro tempore. The yeas and nays have not been ordered.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Illinois will state it.

Mr. DOUGLAS. What is the motion now before the Senate?

The PRESIDENT pro tempore. The motion is the motion of the Senator from Illinois appealing from the ruling of the Chair.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that I may be permitted to withdraw that motion.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent request of the Senator from Illinois? The Chair hears none, and it is so ordered.

Mr. DOUGLAS. Mr. President, what is now the parliamentary situation?

The PRESIDENT pro tempore. The question now is on the amendment offered by the Senator from New Mexico [Mr. CHAVEZ].

Mr. DOUGLAS. Mr. President, I ask for the yeas and nays on that question.

The PRESIDENT pro tempore. Is the request sufficiently seconded?

The yeas and nays were not ordered.

Mr. KNOWLAND. Mr. President, I am prepared to yield back the remainder of the time, if the Senator—

Mr. MAGNUSON. Mr. President, may I be yielded one-half minute?

Mr. KNOWLAND. I yield half a minute to the Senator from Washington.

Mr. MAGNUSON. Mr. President, I do not desire to take the time of the Senate. I wish to be associated with the remarks of the Senator from Oregon [Mr. MORSE] in this matter.

Mr. HOLLAND. Mr. President, I should like to have a few minutes to discuss the amendment.

Mr. CHAVEZ. I yield the Senator from Florida 3 minutes.

Mr. HOLLAND. I thank the Senator from New Mexico. I wish to say, first, that I am grateful to the Senator from New Mexico for permitting my name to be added to his amendment as a cosponsor of it, without any condition. Senators who were on the floor some time ago will recall that in colloquy it appeared that conditions were being imposed to which I could not agree.

I am strongly in favor of the amendment, but not necessarily for the same reasons which have been advanced by the distinguished Senator from New Mexico. I had prepared and there is printed and lying on the table an amendment similar to that offered by the Senator from New Mexico. In my opinion it is a good, sound policy and one that ought to be continued, to leave the matter of control of employment in road construction in the hands of the States and not to have federalized power reaching down from Washington to determine what shall be the rate of pay or what shall be the hours of labor, particularly in an industry of this kind, which is not susceptible to regimentation like many other industries from the standpoint of fixing wages and hours of labor.

Every Senator knows that to be the case. I have not had from anyone in labor who works on road construction

even the first request to vote for this proposal of the Gore bill. I have had some such requests from representatives of labor in other organizations. However, I think they should not be allowed to say to those who loyally work in this roadbuilding industry what shall be prescribed for them by Federal law.

I hope the amendment will be adopted. If so, we will kill another of the several bad provisions in the bill which would federalize the construction of Federal-aid highway projects, instead of leaving these matters in the hands of the States, as they have been uniformly left heretofore, and as I hope they will be left hereafter.

I again thank the distinguished Senator from New Mexico.

Mr. SALTONSTALL. Mr. President, I yield half a minute to the senior Senator from New York.

Mr. LEHMAN. Mr. President, I wish to associate myself with the remarks of the senior and junior Senators from Oregon [Mr. MORSE and Mr. NEUBERGER] and with those of the Senator from Michigan [Mr. McNAMARA]. I believe if we delete the Davis-Bacon provision from the bill we will take a serious step backward and that we will repudiate a policy which has been successful in advancing the standard of living of a very large segment of our population. We should strengthen and wholly safeguard the Davis-Bacon provision, not disregard and destroy it.

I hope we will have a yeas-and-nays vote on the amendment so that I may be recorded against it. I want the RECORD to show that I am strongly opposed to the amendment which I hope will be defeated.

Mr. BUSH and Mr. HUMPHREY addressed the Chair.

Mr. SALTONSTALL. Mr. President, I yield 1 minute to the Senator from Connecticut.

Mr. BUSH. Mr. President, during the course of the next hour I shall place on every Senator's desk an analysis showing how the funds would be distributed under S. 1048.

We have been criticized for calling this a blunderbuss bill. After he has read the analysis of the distribution of the fund, I will leave it to every Senator to say whether he does not agree that that is a good term to apply to the proposed legislation.

The fact is that 30 States are given less than they say they need to complete the interstate system, and 18 States are given far more than they need and far more than they can use.

Therefore, I say that S. 1048 simply scatters dollars and does not build the roads where the roads are needed. I shall have more to say later. In the meantime, I hope Senators will look closely at the analysis when it is placed on their desks, and will note how it affects their States.

Mr. SALTONSTALL. Mr. President, I am ready to yield back the remainder of our time.

Mr. CHAVEZ. Mr. President, I am ready to yield back the remainder of our time.

The PRESIDENT pro tempore. All time has been yielded back. The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. CHAVEZ].

Mr. DOUGLAS. Mr. President, I request a division on that question.

The PRESIDENT pro tempore. The request of the Senator from Illinois is in order.

On a division, the amendment of Mr. CHAVEZ was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its clerks, announced that the House insisted upon its amendments to the bill (S. 727) to adjust the salaries of the judges of the municipal court of appeals for the District of Columbia, the municipal court for the District of Columbia, the juvenile court of the District of Columbia, and the District of Columbia tax court, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. McMILLAN, Mr. HARRIS, Mr. ABERNETHY, Mr. SIMPSON of Illinois, and Mr. O'HARA of Minnesota were appointed managers on the part of the House at the conference.

The message also announced that the House had passed a bill (H. R. 6367) making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1956, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H. R. 6367) making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1956, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

FEDERAL AID ROAD CONSTRUCTION PROGRAM

The Senate resumed the consideration of the bill (S. 1048) to amend and supplement the Federal Aid Road Act approved July 11, 1911 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes.

The PRESIDENT pro tempore. The bill is open to further amendment.

Mr. CASE of South Dakota. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The clerk will state the amendment offered by the Senator from South Dakota.

The LEGISLATIVE CLERK. On page 22, after line 5, it is proposed to add a new title as follows:

TITLE II.—INTERSTATE HIGHWAY PERMITS

SEC. 201. No motor vehicle shall be operated on or after April 1, 1956, on any highway in the national system of interstate highways unless there has been issued for, and is displayed in a conspicuous place on, such vehicle in accordance with the provisions

of this title, a current permit license in the form of an interstate highway stamp to be issued through the facilities of the Post Office Department.

SEC. 202.—(a) Interstate highway stamps required under the provisions of this title shall be issued, upon application therefor, through the facilities of the Post Office Department. The Secretary shall furnish to the Postmaster General without prepayment a suitable quantity of interstate highway stamps to be distributed to and kept on sale by postmasters in the United States. The Postmaster General may require each such postmaster to give additional or increased bond as postmaster for the value of such stamps furnished to him, and each such postmaster shall deposit the receipts from their sale to the credit of and render accounts to the Postmaster General at such times and in such form as the Postmaster General may by regulations prescribe. The Postmaster General shall at least once monthly transfer all collections from the sale of such stamps to the Treasury. The Postmaster General is authorized to cooperate to the fullest extent possible with the Secretary in the sale of such interstate highway stamps.

(b) Each interstate highway stamp as a permit license required under the provisions of this title shall cover the period beginning on April 1 of a calendar year and running through March 31 of the succeeding calendar year. In the case of any application during any such period for a permit stamp for the remainder of such period the charge for such license as established under section 203 shall be prorated for the number of quarters in such period during which such permit license shall be in effect.

SEC. 203.—Each permit license in the form of an interstate highway stamp shall be issued in return for the payment of a fee in accordance with the following table:

For each motor vehicle with a gross weight of—	Fee per year
Less than 4,000 pounds.....	\$4
4,000 to 10,000 pounds.....	8
10,000 to 20,000 pounds.....	10
20,000 to 30,000 pounds.....	20
30,000 to 40,000 pounds.....	40
40,000 to 50,000 pounds.....	60
50,000 to 60,000 pounds.....	80
60,000 to 70,000 pounds.....	120
70,000 pounds or more.....	200

SEC. 204. Effective date: Except as to section 5 of title I relating to contract authority for acquisition of rights-of-way, the authorizations for funds created by this act shall not take effect until the first fiscal year beginning July 1, next, after a certification by the Secretary of the Treasury to the Secretary of Commerce that the prospective total revenue to the Treasury from taxes on motor fuels, motor vehicles, motor vehicle accessories or the sale of interstate highway stamps in the fiscal year ending June 30, 1957, or a subsequent fiscal year will exceed by \$700 million the revenues received from those sources in the fiscal year ending June 30, 1955.

Mr. CASE of South Dakota. Mr. President, had it not been for my great interest in the subject of roads and highways I might never have been a candidate for Congress or have been a Member of the House and, subsequently, entered the Senate of the United States.

In 1928, because of some of my experiences when I was the editor of a small newspaper in Hot Springs, S. Dak., and from personal knowledge which I acquired of roads and highways, I entered the congressional primary. I did not "make it," but the principal issue on

which I based my campaign was that when highway funds were allocated by the United States to the State of South Dakota the State law was such that the funds went to the counties on the basis of the highest assessed valuation, even though the apportionment of the funds to the State was the result of a formula established by Congress apportioning funds on a three-way basis, area, population, and road mileage.

There are in my State a number of Indian counties where the assessed value is low because the land is truck land. But the Indian counties needed roads. They had the necessary population, they had the area, and they had the mileage; but they did not get the roads because the State law took most of the money and distributed it on the basis of the assessed valuation of land.

Growing out of that situation there came a time when I was a candidate for Congress. I was not elected. I was not even nominated at that time. I did not run again until 1934, when I did win the nomination, but was not elected. But I was elected in 1936. During my campaign the question of roads and the question of water conservation were basic issues.

I merely cite that, Mr. President, because my interest in roads has a grass-roots foundation.

Since I have been a Member of the Congress, 14 years in the House of Representatives, and in the fourth year of a term in the Senate, I have been consistently interested in the subject of roads and highways.

The amendment which I have offered proposes two rather simple things: First, that in connection with the use of the interstate highway system, the users contribute a little bit to defray the very high cost of construction.

Second, that the effective dates of the authorizations in the pending bill be postponed until the Secretary of the Treasury can certify to the Secretary of Commerce that the prospective revenues in the ensuing fiscal year will be in the neighborhood of \$700 million in excess of what they were for the fiscal year which closes June 30, 1955.

Revenues from taxes from motor fuels, motor vehicles, and accessories of motor vehicles, and returns from the collection of the use fee will come to the Treasury.

To illustrate, I might say that today if we wish to use our communication system which has been provided by the United States Government, we go to a post office and buy a stamp, which carries our letter to any part of the United States. I have suggested a stamp in this instance which would be prominently displayed on a car, presumably on some small corner of the windshield, or a window, as the regulations might prescribe. According to the estimates I have been able to make, this would produce approximately \$500 million a year. The normal increase in our receipts from taxes on motor fuels, motor vehicles, and motor accessories will provide in the neighborhood of from \$200 million to \$300 million a year for the improvement of the highway system.

So, Mr. President, I estimate that without any other new revenue feature or new financing feature it would be possible even before fiscal 1957, when S. 1048 would take effect, for the Secretary of the Treasury to make the required certification to the Secretary of Commerce. That would in effect go a long way toward putting the committee bill upon a pay-as-you-go basis.

I shall return to the financing feature and the need for it, in my judgment, after I have made a brief review of my interest and part in highway legislation. I trust that Senators who are somewhat familiar with my custom or habit in the Senate will indulge me if I talk longer than I ordinarily do when I speak on the floor of the Senate. Ordinarily I do not speak for a very long period; but I shall use, I think, possibly a half hour of the time which is allotted to an amendment because I wish to review the highway picture and some of my principal reactions to it.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. LANGER. The Senator from South Dakota has a precedent for his amendment, because during World War II there was a \$5 stamp tax.

Mr. CASE of South Dakota. That is correct.

Mr. LANGER. That \$5 stamp tax certainly was very inequitable as compared with the fee proposed in the Senator's amendment. During World War II, the stamp tax was universally \$5, whether the cargo was 15 pounds or 15,000 pounds. I am delighted to note that in the Senator's amendment the amount is graduated according to the weight of the vehicle.

Mr. CASE of South Dakota. The Senator from North Dakota has made a very discerning observation. As he has noted, for a vehicle weighing less than 4,000 pounds, which would include the great majority of passenger automobiles in the United States, the cost of the stamp would be \$4. But the cost provided in the schedule increases progressively and is related to the weight of the vehicle.

During the hearings on the highway bill, the committee had before it a representative of one of the motor carrier associations. We asked him if there was any quick way to determine the tonnage a truck, for instance, might carry during a year in relation to its mileage. Many States have a ton-mile tax of one sort or another; but it is always difficult to enforce such a measure. So I asked the witness if there was any quick method of determining the total tonnage carried in relation to mileage.

The witness said a quick rule of thumb is that the annual ton mileage of a truck is roughly equivalent to the gross weight of the truck itself—that the number of ton-miles is roughly equivalent to the gross weight of the truck. So I followed that idea somewhat in suggesting a schedule, and have provided in the amendment that any motor vehicle traveling on the national system of interstate highways shall be required to dis-

play a stamp as evidence that the operator has bought a communication right on the interstate highway system.

I appreciate the discerning observation made by the senior Senator from North Dakota.

Mr. COTTON. Mr. President, will the Senator from South Dakota yield for a short question?

Mr. CASE of South Dakota. I yield.

Mr. COTTON. Before the Senator begins to speak on the general terms of the bill—and I am very anxious to hear him speak on it—I wish to ask him one question about the proposed stamp tax.

If a person fails to put a stamp on a letter which he mails, unless he happens to be a Member of Congress, or anyone else having the franking privilege, the letter will not be delivered. But in the case of the Senator's amendment, which I personally consider favorably, how would the stamp requirement be enforced? Suppose a person failed to buy a stamp and put it on his windshield. Who would enforce the law or keep the vehicle from operating on the interstate highways?

Mr. CASE of South Dakota. I think that is a very good question, and I will answer it in this way: It would be impossible, I think, and impracticable, to police every port of entry on the interstate system to see whether every car had a stamp. But the fee would be so small for the use of the highway that every owner of a vehicle, so to speak, who proposed to travel any distance at all, would deem it prudent to acquire a stamp, for the same reason that he acquires a permit to drive his automobile, wherever a permit is required.

If the operator of a vehicle becomes involved in an accident, the first thing the policeman asks to see is the driver's license or permit. The officer does not know whether the driver of every car he sees going down the road has a permit; but if the driver becomes involved in an accident, or if any question arises, he had better have his license or permit with him.

So as to the need for a stamp, I suggest, that if a driver were stopped by any policeman on a highway of the interstate system, and he did not have a stamp attached to the windshield of his vehicle, it would be prima facie evidence that he had not complied with the regulation.

Furthermore, it would be possible to make spot checks occasionally, in the same way that trucks are spot-checked are sometimes made to determine whether they are violating the load limit regulations within the States. As we travel along the highways, we see truck-weighing stations. Today such a station may be practically idle, but tomorrow it may have more spot checkers on duty, asking truckers to drive onto the scales, to determine whether the trucks are being operated in violation of the load limits.

So it would be possible periodically, at irregular intervals, to make spot checks of vehicles. Drivers could be stopped as they went by a certain point, to determine whether the stamp requirement

was being observed. I think that for the same reason every prudent driver carries a permit, he would also acquire an interstate highway stamp.

The stamp proposed by my amendment would be very similar to the duck-hunting stamp which is required by the Federal Government. If one is at all prudent, he will buy a duck-hunting license at the post office and attach it to his hunting license. Not much redtape is involved. The purchase of such a stamp is a simple procedure, and it provides revenue.

In struggling in the committee with the serious problem of revenue, I was trying to find some way whereby the Committee on Public Works, a legislative committee, could propose something which would answer the question of financing without invading the prerogatives of the House of Representatives in initiating revenue legislation, or of the House Committee on Ways and Means in initiating taxes, which are primarily levied irrespective of whether the person who pays them is a user of the facilities or not.

The distinguishing feature between the proposed interstate-highway stamp and a tax is that the highway stamp is in the nature of a use fee; it is not a tax. If one does not travel on the interstate system, he does not need to pay the fee. If he does not wish to use the turnpike, he can take a back road or a parallel road. He would not need the interstate-highway stamp at all unless he intended to travel on the turnpikes. But if he intended to travel on the national system of interstate highways, boulevards, or turnpikes, he would be expected to have the stamp.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. SMITH of New Jersey. I have just read the Senator's amendment. The idea appeals to me very much. But how does the Senator propose to enforce the proposal? Suppose a highway had no toll gates, such as we have on the New Jersey Turnpike. Would there be any way to check on whether a driver had such a stamp, unless he were arrested for speeding?

Mr. CASE of South Dakota. The Senator has partly answered his question. In fact, I answered a good part of it when a similar question was asked by the Senator from New Hampshire [Mr. COTTON]. I know the Senator from New Jersey has just come into the Chamber.

Let me elaborate. A tollgate would not be required, but it would be possible to spot-check vehicles, the same as trucks are now spot checked to determine whether they are violating the truck-weight limits. I suppose such checks would be the best way to enforce the provision.

But if a driver were involved in an accident, then, in addition to noting whether he had a driver's permit, the officer who checked on the accident would also note whether the accident had occurred on an interstate highway and whether the car had a current stamp as required by law.

Mr. SMITH of New Jersey. Is any penalty proposed if a vehicle does not have a stamp?

Mr. CASE of South Dakota. No penalty is provided in the amendment I have submitted. If the amendment were adopted, I think probably a penalty provision could be added. I had included a penalty provision in the form of the bill which I introduced, S. 1573, which would have made one guilty of a violation subject to a small fine, sufficiently large so that it would have been worthwhile for the driver to have bought the stamp.

Mr. SMITH of New Jersey. I thank the Senator from South Dakota.

Mr. CASE of South Dakota. I wish to return to the general subject of highway legislation. I do so because I want to support the general proposition that increased emphasis needs to be placed upon the interstate highway system, but that it is impractical to devote all our efforts to completing one segment of the highway system of the country. When the Clay Committee submitted its report, it suggested a program for completing all systems of highways—\$101 billion worth of highways, which would have embraced the primary, secondary, and urban systems as well as the interstate system.

In the bill which was introduced to implement the recommendations of the Clay Committee, there was no provision whatsoever for doing anything for the primary system, the secondary system, or the urban system, except to continue the primary system and the secondary system allotments on the basis of the 1954 act, with a reduction of the amount provided for the urban system from the current \$175 million level to \$75 million, on the assumption that the enlarged funds provided for in the interstate system would be applied in large part to the urban road connections.

Mr. President, it is inevitable that one thinks of roads or highways according to his individual experience. Had I lived only in a large city like Washington, D. C., had I traveled only upon highways connecting cities of a population of 50,000 or more, as one does in traveling across the country, probably my concern would be for the completion of the interstate system. Although living at present in the city of Washington and traveling across the country between Washington and South Dakota 2 and 3 and sometimes 4 times a year my early road experience was on back country roads. I am not driving between my home State and this city now as often as formerly; sometimes I come by plane, but heretofore I have driven from South Dakota to Washington as often as four times a year.

My experience on roads included that of being plagued either by a cloud of dust, or by some sticky gumbo which fastened itself to the tires and piled up over the tires underneath the fenders until the car had to be stopped because the rotation of the wheels was impeded by the mud.

My driving experience included travel on roads where gas stations were anywhere from 20 to 80 miles apart.

My personal experience in traveling on roads included occasions when sometimes I had to stop in the mud and spend all night there.

My personal experience in traveling on roads included traveling on trails with high centers; and yet they were the best roads available even to county seats.

My personal experience in traveling on roads included traveling in counties which are larger than many Eastern States, in a Congressional district where the distance between the county seat and the second largest city in the county is 120 miles—in that one county.

So, the background of interest which leads me to the convictions which I have with respect to roads embraces a concept of doing something not only for the interstate system, which is the system involving the greatest costs, but also for the farm-to-market roads, the back country roads, and the primary roads which serve most of the towns and cities in States such as the one which I have the honor in part to represent.

My legislative interest in and experience with roads relates back to my membership on a subcommittee of the House of Representatives Appropriations Committee dealing with the Independent Offices appropriation bill, at a time when the Bureau of Public Roads was an independent agency, and funds were appropriated specifically for the Bureau of Public Roads.

At this time I should like to pay a tribute to the personnel of the Bureau of Public Roads. I recall that in very early years I dealt with Thomas H. McDonald, a career official of the Bureau of Public Roads, a commissioner of the Bureau through Republican and Democratic administrations, who served Members of Congress, irrespective of their political affiliations, with a devoted interest that could not be surpassed by anyone in any branch of government.

I remember the Solicitor for the Department at that time, Mr. Boykin, who was very helpful in assisting me to establish an interpretation of an early highway act, which made it possible for roads on Indian reservations to be built on a 100 percent Federal basis, without requiring matching by the States. Later, because of that, in the House of Representatives, I proposed an amendment to a bill which had come from the appropriate committee, of which Representative Whittington, of Mississippi, was chairman. The amendment extended that principle to roads built on other Federal lands into the national parks, so that roads in national parks could be built on a 100-percent Federal participation basis.

The Bureau of Public Roads has a tradition being manned by fine non-partisan officials. That tradition was continued in the appointment of Mr. F. V. du Pont, who served for something over a year, and recently resigned to become special assistant on highways to the Secretary of Commerce.

That tradition has been continued in the appointment of Mr. C. D. Curtiss, who is a career man and has been with

the Bureau for probably more years than I have been a Member of the Congress.

That tradition has also been continued in the person of the present solicitor of the Bureau, Mr. H. J. Kaltbach, who also serves Members of Congress, irrespective of their political affiliations, on a basis of service.

When I came to the Senate of the United States the one committee on which I served initially, which pleased me beyond measure, was my assignment to the Committee on Public Works, because there I felt I would be dealing directly with legislative matters having to do with highways.

I participated in the enactment of the Federal-Aid Highway Act of 1952, and the legislation which is now under consideration in the Senate.

Without intending in any way to take undue credit, I desire to mention some of the features of the Federal Aid Highway Act of 1952, the act of 1954, and of the pending bill, which were of special interest to me.

In the 83d Congress we were assigned the responsibility of dealing with highway legislation for the biennial act of 1954. It was my great privilege to serve as the chairman of the Senate Public Works Subcommittee on Roads, which conducted hearings and reported the bill which became the Federal Air Highway Act of 1954.

Before we started those hearings I introduced S. 2859 in February 1954, in which I proposed for the first time that the Federal Government make allocations for Federal aid in the construction of highways which would be substantially equivalent to the amount of funds which the Treasury receives from the taxes on motor fuels.

A few days after that, other bills were introduced which proposed a lesser amount. They were labeled at that time as administration bills.

Mr. President, I mention that fact because I wish to draw an illustration from it. The bill I had introduced in the 83d Congress, in February 1954, called for more funds for highway aid generally than were provided for in the so-called administration bills subsequently introduced in that Congress; but the hearings demonstrated such a need for a stepped-up program of highway aid that when the Senate Committee on Public Works reported the bill, it reported one which provided for funds very close to the amounts which I had proposed for Federal aid for primary, secondary, and urban roads. The bill which came from the conference with the House of Representatives was substantially the one providing the amounts I had proposed in the bill first introduced.

For some time I had been studying the needs in connection with Federal highway financing and construction. In fact, on March 20, 1953, I submitted Senate Concurrent Resolution 21, which proposed the making by representatives of the House committee and representatives of the Senate committee of a joint study on highway financing. The House was conducting a separate study, so it did not indicate that it wished to participate in a joint study.

Consequently, in Senate bill 2859 and, subsequently, in Senate bill 1384, which became the Federal Highway Act of 1954, I proposed a section—which became section 13 of the Federal Highway Act of 1954—calling for the making by the Secretary of Commerce of a study on highway financing, including a study of toll highways. That study formed the basis for the information subsequently supplied to the so-called Clay committee or the President's advisory committee.

During the hearings on the pending measure, the representatives of the Bureau of Public Roads and those who testified in connection with the Clay report testified—as does the Clay report itself—that the study made by the Department of Commerce, in response to the provisions of section 13 of the Highway Act of 1954, provided the statistics and figures which led to the recommendations for improved highway programs.

Mr. President, in the Federal-Aid Highway Act of 1954 there were also incorporated some other features which had been proposed in Senate bill 2859, of the 83d Congress. One of them was a provision for increasing the ratio of Federal matching for interstate highway construction or apportionment. In the bill I introduced, I proposed a 75-25 ratio for matching in the case of interstate highways. The committee did not accept that proposal; but it did increase the ratio from the ordinary 50-50 one to one of 60-40.

I may say I was interested in the action of the committee this year. The distinguished junior Senator from Tennessee [Mr. GORE] proposed, in the bill he originally introduced, a change from the 60-40 ratio to a ratio of 66⅔-33⅓.

In the bill I introduced at this session, namely, Senate bill 1573, I proposed that the ratio for matching be 90 percent by the Federal Government and 10 percent by the States, in connection with the interstate system; and when we came to work out the provisions of Senate bill 1048, the committee adopted the amendment I proposed in the committee, so as to make the ratio 90 percent Federal and 10 percent State.

So, Mr. President, without complimenting my own idea too much, but merely to illustrate that the idea is one which grew out of the study of the needs in connection with meeting the costs of the interstate highway system, I point out that the provision which was proposed in the measure I introduced in the 83d Congress, and again in this Congress, in respect to changing the ratio of matching, is incorporated in the bill which is now before the Senate.

Mr. LONG. Mr. President, will the Senator from South Dakota yield to me?

The PRESIDING OFFICER (Mr. McNAMARA in the chair). Does the Senator from South Dakota yield to the Senator from Louisiana?

Mr. CASE of South Dakota. I yield to the Senator from Louisiana.

Mr. LONG. Mr. President, while the 90 percent basis of matching has much appeal, a point which concerns some of us is the fear that the States will not spend the money economically if they themselves do not provide a sufficiently

large amount, so as more or less to compel themselves to see to it that they get their money's worth for every dollar available.

I wonder what the thoughts of the Senator from South Dakota are in regards to that subject.

For instance, a person might have property located alongside an interstate highway, and he might contend that to widen the highway to 4 lanes might entail, so far as he was concerned, an expense of \$100,000. But the highway commission might think it really should not cost more than \$15,000. If a fight were made on that disagreement, and if the landowner insisted on going to court, and so forth, and if he had some political influence in the community, it seems to me that under such circumstances the highway commission might feel that it would be better to let that person have his way, rather than to have a long fight in the courts, if in connection with the program the State was providing only a very small amount of the money. But I think the commission would take an entirely different view if the State were providing 50 percent of the money or even as much as 25 or 30 percent.

Has the Senator from South Dakota carefully considered that point?

Mr. CASE of South Dakota. Mr. President, I appreciate the validity of the point the Senator from Louisiana is making, for he has a profound knowledge of the way human nature works in matters involving the apportionment of money. It is precisely because of the point the Senator from Louisiana has made that I proposed that the ratio be 90-10, rather than 95-5, as proposed in the report of the Clay Committee. I believe that local participation in the payment of the costs of any Federal project is highly important if the money is not to be wasted. It was because of that fundamental conviction, which was strengthened by having seen WPA money spent when local contributions were not required, that when I was a Member of the House of Representatives, we proposed to require matching or counterpart funds in the case of the foreign-aid program, so as to require the payment of as much as 20 percent by the foreign countries that would receive aid from the United States. In that way it was believed that the foreign countries would have a stake in the work being done, and would not be careless in spending the money which we proposed to give them.

Applying that point to the highway problem, let me say that the Clay Committee report recommended 100 percent Federal construction, and 95 percent Federal spending for rights-of-way, with the States providing 5 percent. It seems to me that would not be adequate. I recognize that when we are to build a superhighway, with controlled access, cloverleaf intersections, and four lanes here or there, as may be necessary, the cost rises rapidly; and the States may hesitate to build highways on a 50-50 matching basis, if they are asked to share in the great cost of a highway which is built in accordance with the standards required by interstate traffic.

In short, the States simply may not be willing to participate on such a basis.

Therefore, it seems to me that we must provide some inducement for the States to contribute some funds to the program. How much should they provide? Under the report of the Clay Committee, the States would provide what would amount to approximately 6 percent, as I understand, when the relative costs of construction and of rights-of-way, are evaluated under the arrangement calling for 100 percent Federal construction and a 95-to-5 ratio with respect to the rights-of-way. So I believe the State participation should be 10 percent in both cases.

In the bill reported by the committee, it is specifically provided that the 10 percent applies to the rights-of-way, as well as to the other expenditures. So, if the Federal Government proceeds to buy rights-of-way at the request of a State, the State must agree to provide 10 percent of the cost. In the committee we felt that would be a restraining influence against wanton purchase of rights-of-way by a State or wanton jury awards in case of condemnation cases in court.

Mr. LONG. Mr. President, I agree with the Senator from South Dakota that 5 percent is really too low, and that the matching ratio should be at least 90 percent to 10 percent.

But I wondered whether even 10 percent would require a sufficiently large or substantial contribution by a State, so as to assure us of fiscal responsibility when the State is handling the funds. I wonder whether the State should provide as much as 20 percent.

Mr. CASE of South Dakota. Mr. President, if the Senator from Louisiana will go into the matter further, and will consider the relative costs of the higher standards required for highways in the interstate system, as compared with the lower costs under the lower standards required for the secondary or primary system roads, he will realize that in the case of the interstate system the cost is so greatly increased by the higher standards, that close to 90 percent is justifiable as the Federal contribution.

Mr. LONG. I thank the Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, I speak only from memory; but the cost of clover-leaf intersections, controlled access, and related structures is so high, in the case of the interstate system standards, that I think the cost ratio is rather fairly distributed under the 90-percent 10-percent formula.

Proceeding with the features which were incorporated in the 1954 act, and which would be continued by S. 1048, for a number of years it had come to my attention that the Federal Government was not treating itself as well as it was treating States and private individuals in the matter of highway allocations. We were not putting as much money into roads on Federal lands, roads on national park lands, national forest lands, and on lands in Indian reservations, as was necessary to keep them in step with the improvement of highways on other lands.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield to the Senator from Wyoming.

Mr. BARRETT. I certainly agree with the statement made by the distinguished Senator from South Dakota. I should like to inquire from him why it is that the committee saw fit to increase the funds available for the primary system, for the secondary system, and for urban roads, but determined that the amounts available for the national forest highway system and for the national parks system should be left at the same identical figure as that in last year's bill.

Mr. CASE of South Dakota. Let me say to the distinguished Senator from Wyoming that neither bill, as introduced—neither S. 1048, the bill now reported, nor S. 1160, which will be offered as a substitute for the pending bill—made any provision for extending the authorization with respect to forest highways, park highways, or Indian roads, except that S. 1160 would have continued the forest highways alone on the level of the 1954 act. However, as to forest roads and trails, nothing was provided for forest roads and trails in the \$622,500,000 figure reserved for continuing the 1954 act. Forest roads and trails had received \$24 million under the 1954 act.

There was nothing in S. 1160 for national park highways, parkways, or Indian roads. So the junior Senator from South Dakota introduced a bill, Senate bill 1573, which proposed a modest increase over the 1954 act in the level of all those categories of Federal land roads. I was unable to persuade the committee to step up the levels, but the committee did incorporate in Senate bill 1048, as reported by the committee, the level of the 1954 act, plus a new feature which we put into the 1954 act, that of establishing contract authority.

Mr. BARRETT. Mr. President, will the Senator further yield?

Mr. CASE of South Dakota. Will the Senator indulge me for a moment?

It had been my observation, through a period of years, that though we had an authorization for forest highways or for forest roads and trails, national park highways, and Indian roads, the appropriations were never coming up to the level of the authorizations.

When I conducted hearings before the Roads Subcommittee in the 83d Congress, there was developed specific testimony from the Park Service, from the Forest Service, and from the Indian Service with respect to the lag between appropriations and the authorizations for those several services. For example, we developed, from the Park Service, that the National Park Service was receiving \$3½ million a year in appropriations, although it was authorized in the Highway Act to receive about \$10 million. So the junior Senator from South Dakota proposed to the committee—and such a provision was incorporated in the bill which was reported and which became the Federal Aid Highway Act of 1954—that the national park highways, parkways, Indian roads, and

forest roads and trails, should have contract authority up to the amount of the authorization, so that Federal land roads could be treated as well as State roads would be. Under Federal highway legislation for years, when apportionments have been made to a State, the State knew that they represented commitments. It could propose road contracts, and once it made a contract, that contract represented a commitment on the part of the Federal Government to put up matching funds on the basis of the contract price for the approved project.

So the apportionments to States became commitments, and the States could count on matching that much money, according to the authorization in the Biennial Authorization Act. But the Federal bureaus could not do so. They were at the mercy of some subsequent appropriation.

The junior Senator from South Dakota, as chairman of the Roads Subcommittee in the 83d Congress, developed that testimony at some length. It will be found in the hearings at that time. I proposed a contract authority provision. We also stepped up funds for forest roads and trails to the level of the 1954 act, which was the highest it had ever been.

I have consulted with the roads division chiefs in the Forest Service, in the Parks Service, and in the Indian Service. They say to me, "If we can continue at that level, and continue to have contract authority for 10 years, 5 years, or whatever period is proposed for others, we can have a long-range building program, and we shall not be doing mere patchwork."

We found that on one of the parkways south of Washington the Parks Service was spending more than \$2,000 a mile each year in maintenance, whereas on a comparable road built to a modern standard, the maintenance was less than \$300.

I now yield to the Senator from Wyoming.

Mr. BARRETT. I appeared before the Senator's subcommittee during the previous session of Congress, in behalf of the contract obligation provision for the forest and park road funds. I commend the Senator for the fine work he did at that time.

I wish to take issue somewhat with the statement that the funds provided for under that act, as carried forward in the bill before the Senate at this time, are adequate to do the job, particularly in view of the fact that the funds made available for the primary system and the secondary system have been materially increased, whereas the funds for forest highways and for national parks are left practically as they were previously. I think the result will be a very bad situation, because in the Senator's State, in my State, and in many other Western States, the roads in the forests are connecting links, in some cases with the interstate system, and in other cases with the primary system.

The result will be a situation in which we shall have a well-improved Federal system connecting with a forest system

which will be lagging behind by a great many years.

So it seems to me that, in view of the fact that our highways in the parks and our highways in the national forests are considerably behind the primary system, funds ought to be made available on a contract basis, to the extent of double the figures provided by the 1954 act. I hope the committee will look into that situation and see what can be done to increase those funds so that the proper kind of transportation can be provided for the people who visit our national parks, and also for the people who are obliged to travel through our forests on trips, using the national Federal-aid system.

Mr. CASE of South Dakota. If the Senator will permit me to comment at that point, Senate bill 1573, which I introduced at this session, would have increased the amount for forest highways to \$24 million. However, the committee did not wish to increase those amounts.

I point out to the Senator that previous to the 1954 act there was a lag of about \$48 million, over a 5-year period, between prior authorizations and actual appropriations. We have not yet operated under the new level of appropriations established by the 1954 act. Those will be effective for the fiscal years 1956 and 1957.

Mr. BARRETT. Is it not true that while the money was authorized, appropriations were not made available?

Mr. CASE of South Dakota. That is true.

Mr. BARRETT. It was not because there was no authorization?

Mr. CASE of South Dakota. We have made the money available. In fact, we made the contract authority applicable not only to the 2 years 1956 and 1957, but also to 1955, so that last year the three services—parks, forests, and Indian—were able to establish a 3-year program and to know what they could do. Instead of patching, they could start new construction.

Mr. BARRETT. The point I am trying to make is that if we are now to accelerate the primary system and the secondary system under any of the bills we are presently considering, by the same token, we ought to step up the work in the national forests and in the national parks.

Mr. CASE of South Dakota. There is no disagreement between the Senator from Wyoming and the Senator from South Dakota on that point. I should like to step it up more. It will be stepped up more, because actually those in charge of the roads in this category will be able to get the money, whereas as formerly it was merely held up to them as a dream.

Mr. BARRETT. In the bill the Senator introduced, S. 1573, I notice section 303 sets out some different figures for the permit licenses. It starts with \$300 for the first category.

Mr. CASE of South Dakota. S. 1573 has not been presented. Those fees are not proposed in the amendment which I offered. Those fees were limited to trucks. We sought to set fees which would be comparable to what trucks now pay on such roads as the Pennsylvania Turnpike.

Mr. BARRETT. Does the Senator have some figures with reference to the revenue that would be realized as the result of section 303 of S. 1573, so that I would know approximately the amount which would be made available under the amendment the Senator is now offering?

Mr. CASE of South Dakota. Yes; the estimates we were able to make indicate that under the truck schedule of S. 1573, the revenues would be about \$410 million. However, I believe as much or even more would be raised under the amendment. Let me give the Senator a quick figure. There are approximately 60 million automobiles in the country. If each paid a \$5 fee, there would be a revenue of \$300 million. Of course, most of these are automobiles which would come under either the \$4 or \$8 fee, rather than the \$5 fee. Most of them would come under the \$4 figure. However, with the larger amounts coming from trucks it is my very rough estimate—and I do not know that anyone can give an accurate figure—that probably half a billion dollars would be realized in fees under the proposed amendment.

Mr. BARRETT. I thank the Senator.

Mr. CASE of South Dakota. Proceeding with the development of some of the features of the committee bill—and I use the term committee bill without any disparagement at all for the very excellent and outstanding leadership given by the chairman of the subcommittee which considered the bill, the Senator from Tennessee [Mr. GORE]—

Mr. GORE. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. Will the Senator permit me to proceed for 1 or 2 minutes more? I should like to talk about the Senator from Tennessee. I have just stated that the Senator from Tennessee provided excellent leadership in conducting the hearings and in working on the bill. I am sure he will not misunderstand me when I speak of the bill as the committee bill. I believe the bill is the product of the extensive hearings and the work of many Members of the Senate, and I believe he will not object if I point out that the bill received many amendments, some of which were proposed by the Senator from Tennessee as a result of the hearings on the bill. The most notable one, I believe, is of his own suggestion. It changes the amount of money proposed to be made available for the interstate system. As the Senator from Tennessee had introduced his bill, it provided \$500 million for the interstate system. However, the Senator from Tennessee stated very frankly to the committee that as a result of the hearings he believed the interstate system should receive greater emphasis. It was his own amendment, which the committee agreed to, that raised the figure for the interstate system from \$500 million in the first fiscal year of the 5-year period to \$1 billion for the first year, a billion and a quarter for the second year, a billion and a half for the third year, and \$2 billion for each of the fourth and fifth years of the 5-year period which the bill encompasses.

The Senator from Tennessee also led in amending the bill with respect to truck weights and other features of the bill. Many features of the bill grew out of his leadership. Having said that, I now yield to the distinguished Senator from Tennessee.

Mr. GORE. Mr. President, first I wish to thank the distinguished Senator from South Dakota for his generosity and kindness. I am deeply grateful to him.

Second, I wish to express my profound appreciation for the devotion to duty and the keen insight and effectiveness of the Senator from South Dakota. Not only does he work hard, but he has as keen and quick an intellect as it has ever been my privilege to work with. This is not the first time it has been my privilege to work with the distinguished Senator from South Dakota. He and I served together in the House of Representatives and on the same committee. The affection and esteem in which I hold him is limited only by human bounds.

Third, I wish not only to acknowledge that what he says with respect to the bill is correct, but also to call his attention to the fact that in my opening address in the debate I acknowledged gladly all that he has said.

I repeatedly referred to the bill as the committee bill. I even went a step further than the junior Senator from South Dakota has gone. I said I thought I was on the losing end of more votes on amendments than perhaps any other member of the committee. However, the basic structure of the bill has remained. It is a committee bill. It is a composite of the best our group could produce. It is the product of group action. No man on the committee has his mark more indelibly placed on the bill, if as much so, than has the distinguished and able junior Senator from South Dakota.

Mr. CASE of South Dakota. I deeply appreciate the very kind and generous remarks of the Senator from Tennessee. I think it is a committee bill. I would go further than that and say that I think the bill, whatever name it may bear, will carry the impact of the recommendation of the President of the United States for speeding up the highway program, particularly the interstate system.

Actually, had it not been for the President of the United States, who sent a special message to Congress making a recommendation for a stepped-up highway program, it is doubtful that we would be considering highway legislation at this session of Congress. Normally, the biennial Federal-Aid Highway Act is considered in the second session of a Congress. That has been true for a number of years. We passed such a bill in 1954, and we would not normally consider another such bill in 1955 were it not for the push given highway programing by the President in his message to Congress and by his message to the governors last year after he had signed the 1954 act.

With respect to the value of the other amendments and features of the bill which support the idea that it is a committee bill, among the other amendments which I regard as of considerable

importance is the one to which the Senator from Wyoming [Mr. BARRETT] has alluded. It is the stepped-up program for the primary, secondary, and urban systems.

Mr. President, the figures in the committee bill are not haphazard figures. I have before me a rather graphic presentation of the case for better highways which has been compiled to illustrate a 10-year construction program and the construction needs on a 10-year basis, which is the period which was considered by the Clay Committee. I have a chart which I think Senators may find to be of interest, which sets forth the funds which are currently available under the Act of 1952. It should be remembered that the Act of 1952 covered the fiscal years 1955 and 1956, and the year which ends June 30, 1955, is the one in which we are at this time.

In the first column are shown figures for the several categories of Federal aid in the year in which we are now operating. The Federal primary road aid amounts to \$247,500,000; secondary road aid, \$165 million; urban road aid, \$137,500,000, making a total of approximately \$550 million.

In the current year, note the figures. For the interstate highway system, there is \$25 million only, making a total of \$575 million for those principal categories of Federal aid in the year in which we are now operating, fiscal 1955, under the act of 1952.

In the second column there are figures for the fiscal year beginning July 1, for fiscal 1956 and 1957, as established by the act of 1954, and which are operative for fiscal 1956 under the provision of either S. 148, as amended, or under the substitute proposed, and for 1957 if we adopt no new legislation.

First of all we establish a higher level. The total for the three categories of Federal aid were raised to \$700 million for the new fiscal year, distributed in this way: \$315 million for the primary system, as against \$247,500,000 before; \$210 million for the secondary system, as opposed to \$265 million before; \$175 million for the urban system, as opposed to \$137,500,000.

These proportions follow the historical distribution of 45 percent to the primaries, 30 percent to the secondaries, and 25 percent to the urban systems. These percentages were in the 1952 and 1954 acts.

Last year we stepped up the interstate system sixfold, \$25 million in the current year, under the 1952 act, and \$175 million under the act of 1954, making a grant total of \$875 million for these forms of Federal aid. That does not include the Federal roads for parks, forests, and so forth.

It is proposed to continue the level of primary and secondary systems as it was in the 1954 act, and to decrease the amount for urban roads from \$175 million to \$75 million, on the theory that the interstate system would itself take care of a large part of the urban needs. There is a total of \$600 million for those categories, whereas the present law carries a total of \$700 million.

The committee bill proposes \$400 million for primary roads and \$200 million for urban roads.

The PRESIDING OFFICER (Mr. BIBLE in the chair). The time of the Senator from South Dakota has expired.

Mr. CASE of South Dakota. Mr. President, will the Senator from Tennessee give me 20 additional minutes?

Mr. GORE. Mr. President, I yield 20 minutes additional time to the Senator from South Dakota.

Mr. CASE of South Dakota. I thank the Senator very much.

The figures \$400 million for primary roads, \$300 million for secondary roads, and \$200 million for urban roads bear a direct relationship to the estimated cost of building the systems as established by the studies of the Clay Committee and the Bureau of Public Roads.

In the bill which was introduced originally, the total would have been \$1,100,000,000. In the bill which I introduced, it would have been \$810 million, plus an additional amount for urban roads, which would have brought it very close to the \$900 million figure. That figure was not brought out of thin air. It bears a direct relationship to the estimated completion costs for those three categories. In the Clay Committee report and in the study by the Bureau of Public Roads, the estimated cost for completing the primary system in the rural sections of the country was \$1,887,000,000, or, in round figures, \$20 billion.

For completing the secondary system, the figure came to \$14,876,000,000, or approximately \$15 billion, and for the urban roads the figure was \$10 billion. When it is borne in mind that those figures are matched 50-50, of course, the amounts double.

But Senators will note that the ratio or relationship is exactly the same—40, 30, and 20 percent. It is exactly the same as the ratio of 20, 15, and 10. In other words, the figures in the committee bill represent the proposed program for completing the primary, secondary, and urban systems on a 5-year basis when matching is considered.

When we consider the figures of the Clay Committee, Senators will note that it will take 25 years to complete those systems, but the distribution is such that there will be a balanced completion at the end of a 25-year period, and that the system will be complete on the basis of a 10-year need as estimated by the studies which I have mentioned.

In relation to the interstate system—

Mr. BARRETT. Mr. President, will the Senator from South Dakota yield?

Mr. CASE of South Dakota. I yield.

Mr. BARRETT. I notice that under S. 1048 and the substitute the contribution on the basis of 45, 30, and 25 is not carried out as it was in last year's bill.

Mr. CASE of South Dakota. The differences between S. 1160 and the current act come wholly in the urban system. The reason for that is that under the recommendations of the Clay Committee many of the urban connections will be taken over on a 50-50 basis.

Mr. BARRETT. From the interstate system?

Mr. CASE of South Dakota. That is correct. Under the Clay report the estimate for completing the interstate system, nonurban, was \$23 million. The urban connections were estimated to cost \$4 billion, half of which would be Federal and half of which would be local. So it is believed that to a great extent the urban connections will be picked up by the interstate system.

The historical percentage basis goes away back to our early highway legislation. It must be remembered that we have taken 40,000 miles of the 240,000 miles of the primary system and set them apart as categories of the interstate system.

The interstate system actually is only a part of the primary system. The total primary system of the country is estimated at 240,000 miles. The interstate system is comprised of 40,000 selected miles out of the 240,000. The distortion has occurred because of picking up the interstate system and giving it a tremendous boost, which distorted the historical 45-30-25 ratio.

This is the first time I know of that we have what might be called a scientific and logical distribution between primary, secondary, and urban roads, with expenditures of \$400 million for projects on the Federal-aid primary highway system, \$300 million for projects on the Federal-aid secondary system, and \$200 million for projects on the Federal-aid primary-highway system in urban areas, and for projects on approved extensions of the Federal-aid secondary system within urban areas, reflecting exactly the ratio of cost of building those systems when the interstate system is taken out.

Mr. BARRETT. What disturbs me somewhat with reference to the committee bill, S. 1048, is that the amount available for the urban roads is \$200 million. Under that bill, the amount available for interstate system has been stepped up tremendously, as the chart indicates. Consequently, it seems to me that the funds available for the primary and secondary systems should be higher than they are in the bill.

Mr. CASE of South Dakota. I am very glad the Senator has pointed that out. I hand him a chart, which shows the estimated completion costs. The urban roads have been separated into two categories—interstate urban and primary urban. It will be noted that the figure given reflects the cost of building the primary urban roads, and leaves in the interstate category the interstate urban roads.

There is another feature which meets the question which the Senator from Wyoming has suggested, and I think it is very proper that he has raised it. He has been the Governor of his State, and understands the problem of the apportionment of funds at the State level.

In the bill which I introduced in the 83d Congress, which became the act of 1954, it was proposed for the first time to permit transferability among the different categories of funds when they were once allotted to the States. For a number of years the American Association of State Highway Officials had been

recommending, and the Bureau of Public Roads had been concurring in the recommendation, that the States be permitted to transfer funds among their systems, in order that they could tailor their highway funds to the particular needs of the States.

It is impossible for the Federal Government to know exactly, in distributing highway funds, the needs within a State. So in the act of 1954 a program of transferability was begun. We authorized 10 percent transferability as among the different funds, so that if a State found that for its particular system or its particular needs it wanted to place greater emphasis upon primary, secondary, or urban roads, it could participate up to a 10-percent apportionment for the State, provided, however, that it could not increase any particular apportionment by more than a total of 10 percent.

In S. 1048, which is now before the Senate, we have gone a step further, in an amendment which I proposed, because it was consistent with a proposal I had made in the bill I had introduced. I refer to the proposal to increase the transferability to 20 percent, so that it becomes possible, under S. 1048, as amended, for a State to take its allocation for interstate highways, and to transfer not to exceed 10 percent of its allocation to one of the other categories, provided, however, that it goes to the matching basis that would be applicable to that particular fund.

So if the State of Wyoming wants to put more money into its secondary system, its urban system, or its primary system, than into the interstate system, it can transfer from the interstate fund to the other funds, provided it does so on a 50-50 basis.

Conversely, if a State wanted to take its secondary-road money and apply it to the interstate system, it could do so, or it could transfer it between the primary and secondary or urban systems.

Mr. BARRETT. I think that is a very wise provision, but the difficulty Wyoming would encounter, under the committee bill or the proposed substitute, would be that in which most of the States in the West would find themselves with reference to the matching of funds. I realize that the Senate is restricted in its authority to provide funds to finance the road program; but does the Senator agree with me that the States should be given the first opportunity to increase the gasoline tax? Perhaps the Federal Government should leave that field largely to the States, so that the States could, if necessary, increase the gasoline tax and thus provide the funds necessary to match the increased amounts to be available for the primary, urban, secondary, and also the interstate systems.

Mr. CASE of South Dakota. The Senator from Wyoming is, as usual, alert to the implication of the problem confronting the States. I point out that as S. 1048 is amended, instead of becoming effective in fiscal 1956, it will become effective in fiscal 1957. That means that the legislatures of the States will meet within 6 months after S. 1048 has become effective.

The standard highway legislation for a number of years has proposed that funds shall be available for expenditure for 2 years following the time they are apportioned in the States. Consequently, the State legislatures which have already met have taken cognizance of the situation for fiscal 1956. They are already prepared to meet that situation. That will take care of the period from July 1, 1955, through June 30, 1956.

The new authorizations or apportionments would be effective, under S. 1048, for the year beginning July 1, 1956. The State legislatures will be meeting in January 1957, only 6 months afterward. The higher apportionments will be available for 18 months after the legislatures have met. The provision already made for carrying on under the 1954 level certainly will take care of the first 6 months, because the stepup is not so much beyond that time.

Mr. BARRETT. I think the Senator from South Dakota is entirely correct when he says that the States will be able to take care of the first 6 months. But, from a practical standpoint, if, perchance, the House should provide, let us say, an additional Federal gasoline tax of 2 cents a gallon, then the Federal Government would have preempted the field, from a practical standpoint, and the States would not have an opportunity to provide additional funds by themselves imposing a higher gasoline tax.

Mr. CASE of South Dakota. Of course, the question of distribution of revenue, and whether the State or Federal Government shall go further into the gasoline tax field or adopt other sources of revenue, is a part of the total problem. I do not know that that can be settled in a legislative committee.

But I think this is a practical situation. For the legislatures which will meet within 6 months after the new authorization becomes effective, funds will be available for 2 years, thus enabling the legislatures to take care of the situation.

I felt that the original provision in the Gore bill, namely, for \$1,100 million, instead of \$900 million, was too high. It was too big a jump from \$700 million. Therefore, I offered the amendment which made the figures what they now are.

There is one other committee amendment in the bill which I wish to speak to, and that is the one authorizing 42,500 miles of interstate system. The interstate system had a 40,000 mile limitation, which was approved in 1947. It was approved at a time when the States and the Nation as a whole were still under the impact and influence of World War II. But there have been tremendous shifts in population since 1947, as there were in the years before that, when the States suggested what they would like to have in the interstate system. Therefore, some readjustment is inevitable if we are to meet the needs of changing population patterns since World War II. The committee thought there should be authorization for additional mileage, and I am happy that the committee adopted the amendment

which I proposed in that respect, to increase the authorization to 42,500.

I feel that the main weakness of the committee bill is the financing provision; and I have offered an amendment, which is pending, providing for a stamp use permit fee. Since I discussed my amendment at the outset of my remarks, I do not wish to repeat them now.

I intend at an appropriate time to say something about the financial features of the substitute bill, because I believe they do grave violence to traditional and sound principles of Government financing, Government budgeting, and congressional review of Federal expenditures, but I shall reserve my remarks on that phase of the question for a later time, when we consider the amendments directly relating to them.

In conclusion, Mr. President, I wish to pay tribute to all of my colleagues on the Senate Committee on Public Works. The distinguished Senator from Pennsylvania [Mr. MARTIN], as a former governor of his State, as chairman of the Committee on Public Works during the 83d Congress, and as a student of public affairs and public needs, through a long career of public service, repeatedly rendered invaluable counsel to the committee throughout the consideration of the bill.

The ranking Democratic member of the committee, the distinguished Senator from Oklahoma [Mr. KERR], rendered invaluable service to the committee, growing out of his service as governor of his State, and out of his prior membership on the committee, when it considered other highway legislation. It was he who offered several of the amendments which were adopted by the committee. It was he who saw instantly the value of many of the amendments which were proposed, because of his prior experience in working with the problem.

The distinguished Senator from Connecticut [Mr. BUSH], the distinguished Senator from New Hampshire [Mr. CORTON], the distinguished Senator from California [Mr. KUCHEL], and the distinguished Senator from Nebraska [Mr. Hruska], all made important contributions. The Senators from New Hampshire and Nebraska served on the great Committee on Appropriations in the House of Representatives and had an acute knowledge of fiscal aspects in Government financing.

I mention those Senators as my colleagues on the minority side of the committee, because I know that every one of them attended hearings faithfully, and that every one of them made his contribution to the consideration of the bill.

I also mention the other members of the Committee on Public Works on the majority side. The Senator from Missouri [Mr. SYMINGTON] has a great career of public service behind him, and he was extremely valuable because of his understanding of the financial problems involved in the bill before the committee.

The Senator from South Carolina [Mr. THURMOND], both because of his experience in State highway construction, and

because of his deep study of the fiscal problems of Government, was invaluable in his comments and suggestions to the committee.

The Senator from Michigan [Mr. McNAMARA] and the Senator from Oregon [Mr. NEUBERGER] were alert to preserve the human elements in our consideration of highway needs.

I feel that in presenting this bill to the Senate we are offering what is truly a committee bill. Its adoption by the Senate should not be considered in any sense a defeat for any pet ideas of anyone, but, rather, as a victory for everyone who wants a highway program which will meet the needs of the United States.

Mr. JOHNSON of Texas. Mr. President, I yield 3 minutes to the Senator from Tennessee [Mr. GORE].

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 3 minutes.

Mr. GORE. Mr. President, the amendment of the junior Senator from South Dakota is provocative. It shows that he has given to the subject now under consideration a great deal of thought. More importantly, it demonstrates courage on his part, which all of us may not have, when he suggests a tax, though the junior Senator from South Dakota does not call it a tax.

Mr. CASE of South Dakota. And does not admit that it is a tax.

Mr. GORE. I ask the Senator to excuse me for calling it a tax. I did so inadvertently. The Senator from South Dakota has the courage to suggest the imposition of a fee for all vehicles using the interstate system. Not only does he have the courage to do so, but he has the patriotism to undertake to have revenue raised to help in financing this enormous program upon which we are, I believe, about to embark.

The Senator from South Dakota had this provision, in essence if not in identical terms, in the bill which he introduced and which was considered by the committee. It was the only bill considered by the committee, Mr. President, which did not contain a provision which would bring additional revenue into the Treasury. Senate bill 1160 did not provide for bringing any additional revenue into the Treasury, nor does Senate bill 1048. It is inherent in both bills, and it would be inherent in any bill under the terms of which public highways would be built in the country, that additional revenue would come into the Treasury.

Regardless of the terms of the legislation under which a better system of highways is built, there is going to be a greater use of the highways; more gasoline and more lubricating oil are going to be used, and as a result there will be more revenues going into the Treasury of the United States during the life of those roads. That accretion in revenue may approach the cost of the roads. That would be true under either the committee bill or the administration bill.

Mr. THYE. Mr. President, will the Senator yield?

Mr. GORE. I shall yield if I may go one sentence further.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. JOHNSON of Texas. Mr. President, I yield the Senator from Tennessee 2 additional minutes.

Mr. GORE. The bill of the Senator from South Dakota [Mr. CASE] went one step further. It did include the amendment now before the Senate to levy upon each and every user a fee to be evidenced by a stamp. While the Senator from South Dakota says it is not a tax, I believe it is fair to say that a majority of the committee considered it was in the nature of a revenue measure, and a majority took the position that we were without jurisdiction to consider a revenue measure. Therefore, the committee declined to approve the amendment, and I must respectfully decline to do so now, but with sincere praise for the junior Senator from South Dakota.

Mr. President, I now yield to the Senator from Minnesota.

Mr. THYE. Mr. President, the question I was about to ask does not particularly relate to the tax question which the Senator has mentioned, but I should like to have the Senator refer to a chart which has been placed upon the desks of Senators. The Senator from Connecticut [Mr. BUSH] earlier in the session referred to the chart when he said it would be placed on our desks.

As I look at the chart I find, for instance, that the bill, while providing for all the States, provides for some States sums which are greater than those States could possibly use. There would not be the means in those States for matching the Federal funds.

Then, when I refer to my own State of Minnesota, I find that the need in our State would be in the amount of \$229 million, whereas the Federal funds provided for the interstate system—

The PRESIDING OFFICER. The additional time of the Senator from Tennessee has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 1 additional minute to the Senator from Tennessee.

Mr. THYE. The Federal funds provided for in the interstate system by Senate bill 1048 for the highway program would provide Minnesota with only \$176 million. That is a question which has somewhat disturbed me, because if it be true, as this chart indicates, and as the Senator from Connecticut [Mr. BUSH] has stated—

Mr. GORE. Mr. President, I have only 1 minute.

Mr. THYE. I am almost through, Mr. President.

Mr. JOHNSON of Texas. Mr. President, I yield 1 more minute to the Senator from Tennessee.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The Senator from Tennessee is recognized for 1 more minute.

Mr. THYE. I should like to have the Senator from Tennessee comment on the figures referred to, as they appear on the chart.

Mr. GORE. I shall be glad to comment briefly on the chart. When the

substitute amendment is called up I am sure it will be discussed more fully.

The chart is not based upon the bill. The Senator from Minnesota cannot find in Senate bill 1160 any provision which assures his State of \$1, let alone of the larger amount set forth on the chart. That is a basic difference between the two bills. Senate bill 1048 has a formula by which the Senator's State and every other State will be apportioned funds. Senate bill 1160 abolishes the apportionment formula.

I respectfully suggest to the Senator from Minnesota that distribution of Federal funds by means of some formula is better than not to have any formula at all. The figures on the chart are not based on the bill.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. JOHNSON of Texas. Mr. President, I yield an additional 2 minutes to the junior Senator from South Dakota. I may say it is somewhat unusual to yield to the author of an amendment time in opposition to the amendment. But the Senator from South Dakota is an unusual legislator, and all of us can profit by what he says. So I yield 2 minutes to him.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 2 minutes.

Mr. CASE of South Dakota. Mr. President, I thank the distinguished majority leader for his kind words. I appreciate them, although he is almost overwhelming with his kindness.

I am afraid that the kind words of the distinguished Senator from Tennessee [Mr. GORE], in his comments on the amendment, are designed more to kill the amendment with kindness than to do anything else.

Be that as it may, I wish to state for the record that, of course, I realize that neither the Senate of the United States nor any other legislative body will adopt an amendment such as the one I have proposed without giving it more deliberate consideration than can be given to my amendment at this time. So I do not expect the amendment to be adopted. But it should be made available, so all Senators will be able to study it further, for sooner or later something of this sort must be done and will be done. If we are to build roads, we shall have to pay for them. Regardless of whether we pay for them by means of use fees or by means of taxes, somewhere the money must be found.

Let me say a word regarding whether what my amendment proposes would be a tax or a fee. I believe the amendment is within the capability of the Senate to consider under both the legislative precedents and the rules of the Senate and the Constitution. The amendment does not propose a tax. If the amendment were adopted, no one would have levied on him a tax by the sovereign power of the Government; no one would have to pay for one of the stamps unless he used the facility which would be provided. No one regards a postage stamp as a tax. No one has to buy a postage stamp unless he wishes to use it.

This amendment is proposed as one to be applied only to those who wish to use the interstate system of highways. Under the amendment, one who wishes to use the interstate system of highways would have to have on his car a stamp showing that he had purchased the right to use those highways. So the amendment does not propose a tax. Instead, it proposes only a toll or a use fee, depending upon whether people use or do not use these highways.

The PRESIDING OFFICER. The time yielded to the Senator from South Dakota has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to my distinguished friend, the former chairman of the Committee on Public Works, the senior Senator from Pennsylvania [Mr. MARTIN].

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 2 minutes.

Mr. MARTIN of Pennsylvania. Mr. President, I have already spoken several times in commendation of use fees or of paying for roads as they are used. I think the distinguished Senator from South Dakota has rendered a very fine service in bringing the amendment before the Senate; but I very much fear that what the amendment calls for is a tax.

On the other hand, I think it excellent that the amendment has been considered by us today. It will be necessary to obtain other revenue in order to complete our road system and bring it up to the standards required in the United States.

I appreciate very much the nice things the distinguished Senator from South Dakota has said about me. He is a fine legislator.

I wish to say, further, Mr. President, that I do not believe I have ever served on a Senate committee which has more conscientiously and diligently performed its duties than has the committee which has considered this bill.

Mr. JOHNSON of Texas. Mr. President, I am prepared to yield back the remainder of the time under my control, so that a vote may be taken on the amendment.

Mr. THYE. Mr. President, will the Senator from Texas yield 1 minute to me? I should like to ask a question of the distinguished Senator from South Dakota.

Mr. JOHNSON of Texas. Very well; I yield 1 minute to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 1 minute.

Mr. THYE. Mr. President, this is my question: When we impose a use tax or stamp, will it permit the operator of any vehicle, as listed on the chart—whether a vehicle of 60,000 gross pounds or one of 70,000 gross pounds—to have a permit to drive the vehicle either 100 miles or an indefinite distance on the national system of highways?

Mr. CASE of South Dakota. Mr. President, I am glad the question has been asked. The arrangement would be exactly the same as that which applies

when we buy a postage stamp. A postage stamp will carry a letter either from Minneapolis to Mankato or from Minneapolis to New York City; the distance allowed is indefinite.

Mr. THYE. Would there be any justice in charging the same fee or toll, regardless of the distance traveled and regardless of the weight of the vehicle?

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. THYE. Mr. President—

Mr. JOHNSON of Texas. Mr. President, I yield an additional minute to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 1 more minute.

Mr. THYE. I thank the Senator from Texas.

Mr. President, I wish to ask the Senator from South Dakota whether there would be any justice in charging the same use fee, regardless of whether the vehicle in question traveled only from Philadelphia to Harrisburg, or whether it traveled from Philadelphia to Los Angeles, Calif.? Would there be any justice in charging the same use fee for the operation on the national system of highways of a heavy truck which pounded the paving all the way from Philadelphia, Pa., to Los Angeles, Calif., and for the operation of another truck which traveled on the highway system only from Philadelphia to Harrisburg, Pa.?

Mr. CASE of South Dakota. Mr. President, the answer is twofold. First, in each instance the truck operator would have paid a larger ton-mile tax, or license fee, or whatever it may be called. But according to the chart, the gradation in the case of a 70,000-pound vehicle is much heavier than in the case of a lighter vehicle. Thus, the ton-miles carried by such trucks roughly corresponds to the gross weight of the vehicles. That is the reason for the gradation in this case.

Mr. THYE. I have referred only as an example to a truck of 60,000 gross pounds and a truck of 70,000 gross pounds.

The PRESIDING OFFICER. The time of the Senator from Minnesota has again expired.

Mr. THYE. Mr. President, if I may have one more minute, I shall take my seat.

Mr. JOHNSON of Texas. Mr. President, we wish to try to have this bill passed. The administration has recommended it. I do not wish to have the bill talked to death.

On the other hand, I still cannot resist the pleas of my Republican friends. So I yield an additional minute to the Senior Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for an additional minute.

Mr. THYE. I thank the distinguished majority leader, Mr. President. The majority leader is always very gracious, and that is what makes all of us try to cooperate with him.

I point out that this is only the third minute I have requested; and I do not

believe that in requesting 3 minutes I am trespassing on the good nature of either the majority leader or of my friends on this side of the aisle.

Mr. JOHNSON of Texas. Does the Senator from Minnesota desire me to yield him another minute? [Laughter.]

Mr. THYE. No, Mr. President, I do not.

This is the question I should like to have answered: Is there not great injustice in the proposed use stamp or use fee, inasmuch as the same charge would be made, regardless of the weight of the vehicle and regardless of the distance the vehicle traveled? In other words, under the amendment, the operator of a heavy truck which traveled all the way from Philadelphia to Los Angeles, Calif., would pay the same use fee which would be paid by the operator of a lighter truck which traveled on the highway system only from Philadelphia to Harrisburg, Pa. If a toll is to be charged, it should be charged on the basis of the use made of the highway system and the amount of wear and tear applied to it, and not on the basis of a use stamp which will cost all users the same, regardless of the distance traveled.

Furthermore, let me point out that in the case of the postal system the charges for the handling of parcel-post packages are based on a zone system, plus the weight.

Mr. CASE of South Dakota. Mr. President, the alternative is to charge nothing unless the system proposed by my amendment is adopted.

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of the time under my control.

The PRESIDING OFFICER. The remaining time has been yielded back.

The question is on agreeing to the amendment of the Senator from South Dakota [Mr. CASE].

The amendment was rejected.

Mr. MORSE. Mr. President, I offer the amendment which I send to the desk and ask to have stated. It is identified as "5-24-55-G."

The PRESIDING OFFICER. The amendment offered by the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. It is proposed to strike out section 2 (d) of the bill as reported and insert in lieu thereof the following:

(d) No funds authorized to be appropriated for any fiscal year by this section shall be apportioned to any State within the boundaries of which the National System of Interstate Highways may lawfully be used by vehicles with any dimension or with weight in excess of the greater of (1) the maximum permissible corresponding dimensions or maximum permissible corresponding gross and/or axle weights applicable on July 1, 1956, to vehicles lawfully using any of the public highways of such State, or (2) the maximum corresponding dimensions or maximum corresponding weight recommended for vehicles operated over the highways of the United States by the American Association of State Highway Officials in a document published by such association entitled "Policy Concerning Maximum Dimension, Weights, and Speeds of Motor Vehicles To Be Operated Over the Highways of the United States" and incorporating recommendations adopted by such association on April

1, 1946. Any amount which is withheld from apportionment to any State pursuant to the foregoing provisions of this section shall be reapportioned immediately to the States which have not been denied apportionments pursuant to such provisions: *Provided, however*, That nothing herein shall be construed to deny apportionment to any State allowing the operation within such State of any vehicles or combinations thereof that could be operated lawfully within such State on July 1, 1956.

The PRESIDING OFFICER. The Senator from Oregon has 60 minutes. How much time does he yield himself?

Mr. MORSE. To begin with, I yield myself not more than 10 minutes.

Mr. President, I wish to make a series of perfecting modifications to the amendment which I have just offered, as follows:

On page 1, line 8, change "1956" to "1955"; on page 2, line 16, after the words "allowing the" insert "lawful"; in the same line, after the word "operation" insert "over the public highways"; in line 18, before the word "within" insert "over the public highways"; and in the same line, strike out "1956" and insert "1955."

The PRESIDING OFFICER. Will the Senator send the modified amendment to the desk?

Mr. MORSE. Yes, Mr. President.

We made great progress on this amendment as a result of the colloquy yesterday afternoon, because the RECORD will show that the Senator from Tennessee [Mr. GORE] and his subcommittee reached a conclusion as to the change of the date from July 1, 1956, to July 1, 1955.

The proviso clause of my amendment really goes to the heart of the problem. I feel that that subject was pretty thoroughly discussed yesterday in my colloquy with the Senator from Tennessee, who has been very gracious in his endeavor to ascertain the basis for the request of those who have asked me to sponsor the amendment.

What we really seek to do is to cover the type of situation which exists in the State of Nevada, so ably represented in this body, in part, by the junior Senator from Nevada [Mr. BIBLE]. As the Senator from Nevada has pointed out, in his State there is no law governing dimensions and height of trucks. Of course, the Senator from Nevada can speak for himself, but he has authorized me to say in the course of my remarks that he supports me in this amendment.

In view of the fact that the proviso clause goes to the heart of the problem, I understand that the Senator from Tennessee [Mr. GORE] will discuss the proviso clause with me, and the chairman of the committee will discuss the proviso clause with me. It is quite possible that in the colloquy we can reach an agreement to accept the amendment, at least so far as the proviso clause is concerned.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. GORE. As I heard the amendment stated, and the modifications made therein, it would seem to state with some clarity what I believe the present bill

contains. If I correctly understand the amendment as serving to clarify the purpose and intent of the committee, I see no objection to it. I wonder if the Senator would be willing to have the clerk read the amendment as it has been modified, in order that we may have a basis of understanding.

Mr. MORSE. I am perfectly willing to have that done.

Mr. GORE. Mr. President, may we have the amendment, as modified, stated?

The PRESIDING OFFICER. The modified amendment offered by the Senator from Oregon will be stated.

The legislative clerk proceeded to read the amendment, as modified.

Mr. MORSE. Mr. President, what the Senator from Tennessee wishes to have read is the proviso clause, with the modifications I have made. I think he would have me strike out all of the amendment except the proviso clause.

Mr. GORE. Mr. President, I ask unanimous consent that the clerk read the proviso clause on page 2, beginning with the middle of line 14, as modified.

The PRESIDING OFFICER. The proviso clause, as modified, will be stated.

The legislative clerk read as follows:

Provided, however, That nothing herein shall be construed to deny apportionment to any State allowing the lawful operation over the public highways within such State of any vehicles or combinations thereof that could be operated lawfully over the public highways within such State on July 1, 1955.

Mr. GORE. Mr. President, that amendment conforms with what I believe the bill, as amended, means. Yesterday, by amendment, we changed the date from May 1 to July 1. Therefore, I am willing to accept the proviso if the Senator will strike from his amendment everything preceding the proviso.

Mr. MORSE. Mr. President, under that condition, I will strike from my amendment everything preceding the proviso clause.

The PRESIDING OFFICER. The Senator has the right to modify his amendment.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CHAVEZ. I wish to ask the chairman of the subcommittee, in view of the fact that I was not present when the amendment was agreed to yesterday, what was the reason for changing the date from May 1 to July 1? There is no provision as yet with respect to weights.

Mr. GORE. Mr. President, the legislatures of the States of Montana and North Dakota had enacted laws affecting weights and dimensions of vehicles, such laws to become effective on July 1. We felt that if we left the date of May 1 in the bill, we would either force those States to amend their statutes—

Mr. CHAVEZ. To roll back their statutes?

Mr. GORE. To roll back their statutes to that date, or be denied matching funds. In this case the chairman of the subcommittee is endeavoring to avoid doing an injustice to Nevada and

Oregon. We do not want this to be an oppressive policy. Yesterday we agreed to an amendment changing the date, and I am prepared to accept the modified amendment now offered by the senior Senator from Oregon.

Mr. CHAVEZ. Mr. President, with the permission of the senior Senator from Oregon, I should like to ask the Senator from Tennessee [Mr. GORE] a question.

Is legislation with reference to this subject now pending in the legislatures of other States?

Mr. MORSE. Pennsylvania is another such State.

Mr. GORE. I know of only one other State. There may be others, but there are not many. The State of Pennsylvania has pending legislation. There may be other States, but I am not aware of any other.

Mr. MORSE. In my statement yesterday I mentioned the fact that Pennsylvania was another such State.

Mr. GORE. That is the only one I know of.

Mr. DIRKSEN. Illinois is another such State.

Mr. GORE. I am informed that the State of Illinois also has such legislation pending.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HOLLAND. Is there any time limit covered by the proviso which is sought to be added by the amendment of the Senator from Oregon, or would that amendment apply throughout the time of operation of the act, or until it is amended or repealed by the Congress?

Mr. MORSE. It would apply until the act was amended or repealed.

Mr. HOLLAND. In other words, the effect and purpose of the proposed amendment is to freeze at their present legally authorized figures the lawful weights and dimensions of each kind of motor vehicle which is now permitted to operate lawfully over the highways of each of the 48 States.

Mr. MORSE. That is correct; and it is in the interest of the principle of uniformity about which the Senator from Tennessee spoke in his previous discussion of the bill.

Mr. HOLLAND. Mr. President, will the Senator yield for another question?

Mr. MORSE. I yield.

Mr. HOLLAND. Is not the effect of the operation of such an amendment to bring about a very great lack of uniformity in that the present standards on weight and dimensions as found in the various States under the laws of those States differ so greatly at this time and may differ even more greatly by July 1, 1955?

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. MORSE. I yield myself another 10 minutes.

I will say to the Senator from Florida I do not believe there is any danger of the situation becoming worse. The best we seem to be able to do is to work toward freezing the status quo. We have already listed the States which have legislation that will become effective on

July 1, or have legislation pending. What the amendment would do, as the Senator from Tennessee pointed out the other day, would be to prevent our creating a situation in the next year or in the year thereafter whereby the weights and measures would become so great that damage would be done to the highways.

Mr. HOLLAND. Is it the feeling of the Senator from Oregon that the present weight limits in many of the States do not exceed the figure at which they are held to be harmless in those States?

Mr. MORSE. I believe the committee found the situation was not so very serious that any great damage would be done if we protected the rights of the States under present laws. I am sure the Senator from Florida will be a little surprised to hear me make such a strong argument in favor of States' rights. I am making the argument only in connection with this bill to protect the States' rights as presently established. I believe we should not proceed to try to impose a restrictive feature on them. It boils down to that.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. MORSE. I yield.

Mr. HOLLAND. I may say that I am delighted to find the distinguished Senator from Oregon taking a position which he deems to be in protection of States' rights.

Mr. MORSE. I always do when it is within the Constitution.

Mr. HOLLAND. However, it occurs to the Senator from Florida that the real result of the amendment would be to freeze the present situation of very great nonuniformity in the several States and to allow certain of the States with very high weight limitations to be financed by the Federal Government on a 90-10 basis in the construction of their interstate highways on a continuing basis which is completely out of line with what prevails in other States, and to deprive those other States of the opportunity to come to that same position if in the exercise of their own discretion they saw fit to do so. Would not that be the result of the Senator's amendment?

Mr. MORSE. No; I believe the result would be to put a stop to excesses. What we are trying to do is to stop a bad trend from continuing. We can do it legitimately in this way. As the Senator has heard me say before, I discussed the matter with the truckers. It is their amendment. I believe I made that very clear when I offered the amendment. They believe it would be a fair solution of the problem. At least their representatives who have spoken to me have said it would be a satisfactory and equitable solution of the problem.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOLLAND. If the pending amendment is adopted, would the amendment of the Senator from Florida, which is lying on the desk, be in order? The purpose of my proposed amendment is to strike entirely from the bill subsection (d), which is the subject matter of

a partial amendment by the pending amendment offered by the Senator from Oregon.

The PRESIDING OFFICER. The Senator could offer an amendment to strike out that sentence.

Mr. HOLLAND. Such an amendment would be in order?

The PRESIDING OFFICER. It would be in order.

Mr. HOLLAND. I thank the Chair.

Mr. MORSE. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, offered by the Senator from Oregon [Mr. MORSE].

The amendment was agreed to.

Mr. KEFAUVER. Mr. President, I call up my amendment 5-23-55-C.

The PRESIDING OFFICER. The Secretary will state the amendment.

The LEGISLATIVE CLERK. On page 16, between lines 7 and 8, it is proposed to insert the following:

SEC. 10. (a) For the purpose of improving evacuation of localized and existing highway routes leading out of urban civil-defense target areas there is hereby authorized the sum of \$40 million for the fiscal year ending June 1956, subject to the following general standards:

(b) Of the sum herein authorized \$20 million shall be immediately available for contract and shall be apportioned among the several critical target areas as designated by the Administrator of the Federal Civil Defense Administration and in a manner to be determined by the Secretary of Commerce upon application of the States in which the target areas involved are located: *Provided further*, That the Secretary of Commerce shall also find that any project approved under this section will serve to increase the localized capacity of existing routes in such areas and that such improvements constitute a part of preliminary evacuation routes.

(c) The remaining sums appropriated under this section shall remain available until expended and shall be apportioned to the States in which (1) the critical target areas, or (2) the target areas are located in a manner as determined by the Secretary of Commerce and the Administrator of the Federal Civil Defense Administration for the purpose of improving evacuation capabilities to reception zones for such areas: *Provided, however*, That the Federal share payable on account of any project provided by funds made available under the provisions of this section shall be 90 percent of the total cost thereof: *And further provided*, That the Administrator of the Federal Civil Defense Administration and the Secretary of Commerce shall approve the plan of evacuation routes prior to the apportionment of any funds to a critical target area or a target area.

On page 19, between lines 8 and 9, insert the following:

SEC. 14. The Secretary of Commerce shall, by not later than February 1, 1956, make a report to the Committees on Public Works of the Senate and of the House of Representatives containing his recommendations as to the manner in which the undesignated mileage of the National System of Interstate Highways can be utilized for the purpose of eliminating bottlenecks in the evacuation routes leading from target areas as designated by the Administrator of the Federal Civil Defense Administration.

The PRESIDING OFFICER. The Senator has 60 minutes. How much time does he yield himself?

Mr. KEFAUVER. I yield myself 10 minutes.

Yesterday, when I presented the amendment I made a short statement in connection with it, which I do not wish to repeat in detail at this time. The situation is that in the event of an enemy attack upon our target areas, we are almost utterly unprepared to save the civilian population of our cities in those target areas. In a thermonuclear attack, shelters inside the target area will be of practically no use. Everyone agrees that the only protection for the civilian population is to evacuate our cities. The present highways and roads leading from target areas are not sufficient for that purpose. Milwaukee, Philadelphia, and many other cities in which practice evacuations have been held, have found that the spending of a little money for the widening of certain streets and improving evacuation routes would enable them to evacuate the cities much more rapidly, and that in the event of an attack millions of lives would be saved.

It is high time we were doing more and thinking more about civil defense. We have the problem of what to do with the people after they are evacuated, how they are going to be sheltered, clothed, and protected from radioactive fallout. But those considerations are academic unless we can first make arrangements to get the people out of the target areas.

What my amendment does is to authorize \$40 million so that a start can be made on the program. That is the total amount. Of this sum, \$20 million would be immediately available for contracts to be apportioned among the target areas as designated by the administrator of Civil Defense. The other amount is authorized to be apportioned among the States in which the critical target areas are located.

The other part of my amendment is with reference to the Secretary of Commerce making a report containing his recommendations as to the manner in which the undesignated mileage in the national system of interstate highways can best be utilized for the purpose of eliminating bottlenecks from evacuation routes as designated by the Administrator of Civil Defense Administration. This is at least a small start to give the cities and States which are working so hard on civil defense some little additional Federal help in our civil defense program.

I know the distinguished chairman of the subcommittee and the chairman of the full committee are interested in this matter. I hope something can be agreed upon regarding it in connection with the pending highway bill.

Mr. GORE. Mr. President, will my colleague yield?

Mr. KEFAUVER. I am happy to yield.

Mr. GORE. The efforts of my distinguished colleague are certainly appreciated. In all candor, I must say that his testimony before the committee was more constructive regarding the problems of civil defense than was any other testimony presented before the committee.

In connection with the amendment he now offers, I wish to invite his attention to the fact that the Administrator of Civil Defense came before the committee, and it was revealed that he had no plan. Indeed, \$12 million has recently been made available to Mr. Peterson and his agency to develop plans. It would seem to me to be unwise to authorize \$20 million when there is no plan to use \$20 million.

I think there is a great deal of merit to section 14 of the Senator's amendment. It would appear to offer a constructive suggestion directing the Secretary of Commerce, operating, of course, through the Bureau of Public Roads and otherwise, to proceed in cooperation with the Civil Defense Agency to develop plans. I would be prepared to accept and take to conference section 14 of the Senator's amendment, but, without the concurrence of the members of the Public Works Committee, I would not be in position to accept additional monetary authorization in the bill to be used by an agency which has no plan to use such funds.

Mr. KEFAUVER. Mr. President, I appreciate the observations of my colleague. I admit that the Civil Defense Administration has been very slow in working out plans for highway needs in connection with the evacuation of people from our cities. It is only within the past 2 months that designation has been given to the Department of Commerce in respect to planning needs for civil defense in connection with highways. Some work has been done by the Bureau of Public Roads, but during the time the Armed Services Committee held its hearings, upon the suggestion of the committee telegrams were sent to the mayors or civil defense administrators of the principal target areas asking if surveys had been made and what the status was and what the cost of roads would be. Almost all those cities responded. A great many of them already have plans as to how streets are to be widened and what should be done to iron out bottlenecks and make evacuation possible. Most of the plans are already in existence. Others would be consummated. I am sure the money would not be used unless and until well-worked-out plans were provided.

I appreciate the willingness of the Senator to accept the second part of my amendment. I have a suggested alternative, in line with conversations with the Senator, which I should like to suggest as a possible substitute for the first part of my amendment.

Mr. CHAVEZ. Mr. President, before we reach that point, is it not a fact that in the pending bill there is sufficient authorization for urban road money which could be used for this purpose?

Mr. KEFAUVER. I appreciate that suggestion. It is along the same lines of the suggestion made by my colleague from Tennessee.

Mr. President, I have an alternative amendment in this language:

On page 4, line 2, after the word "project," add a colon and the following: "*Provided further*, That the Secretary of Commerce, out of the amount authorized in subsection (c) hereof, is authorized to use the sum of

\$10 million for improving evacuation routes leading out of urban civil defense areas. Of the sum thus set aside for highway civil defense needs, the Secretary shall apportion some to the States in which target areas are located as determined by the Secretary of Commerce and the Administrator of the Federal Civil Defense Administration for the purpose of improving evacuation capacities to reception zones for such areas."

Mr. CASE of South Dakota. Mr. President, will the Senator from Tennessee yield?

Mr. KEFAUVER. In a moment.

Does the Senator from New Mexico think that if the need were great, we could take \$10 million of the funds for urban roads, in order to widen certain bottlenecks and make evacuation possible?

Mr. CHAVEZ. So long as the Secretary had the authority to do it, he could use \$10 million or \$15 million, or whatever amount was needed, out of the total available to him for urban road expenditures.

Mr. KEFAUVER. I agree with the Senator, but I thought the committee would want a limit, because some of the money might not go to a particular State for the reason that it might not contain a target area.

Mr. President, I yield myself an additional 5 minutes, and I now yield to the Senator from South Dakota.

Mr. CASE of South Dakota. It probably has not been brought to the attention of the Senator from Tennessee that under the \$23 billion figure for interstate road construction which is recommended by the Clay Committee, \$10 billion is for urban road development. The figures which I have in the chart show the interstate highways broken as between interstate and urban, including arterial routes, with which the Senator is rightly concerned. But the breakdown between the two shows \$10,862,000,000 for the urban portions of the interstate system and \$13,052,000,000 for the rural portions of the interstate system. In other words, the urban connections and arterial routes, with which the Senator from Tennessee is rightly concerned, will be cared for out of the total amount of money for the interstate system.

I am appreciative of the efforts of the distinguished senior Senator from Tennessee in bringing this matter before the Senate, because in the act of 1952 or 1954, I have forgotten which it was, a clause was included, which I proposed, to provide authority for placing arterial routes and circumferential routes in the general category of access roads.

Mr. KEFAUVER. I am familiar with that provision, and also with the provision that some consideration should be given to civil defense.

Mr. CASE of South Dakota. In the 10-20-30 apportionment, so to speak, of money for interstate highways, it is indicated that for urban connections ample funds will be provided.

The suggestion of the junior Senator from Tennessee [Mr. GORE], which is contained in the amendment offered by him, is very good, in that it will be possible to know exactly what is necessary to focus attention on the evacuation

route needs, but funds will be provided in the total application for the interstate system.

Mr. KEFAUVER. My amendment was addressed to the amount provided for urban roads, referred to on page 2 of the Gore bill.

Mr. CASE of South Dakota. If that is what is proposed, then money would be taken away from the urban roads, or there would be a changed proportion.

If the Senator followed the explanation I made a while ago, the funds now proposed in the bill for the primary, urban, and secondary roads are exactly in proportion to the cost of building those systems; and the earmarking of an additional \$42 million would distort the formula considerably.

Mr. KEFAUVER. The substitute I have prepared would simply authorize the Secretary of Commerce to set aside not to exceed \$10 million from the urban authorization and \$200 million for special use on certain roads in the target areas, the funds to be apportioned among the States for the target areas.

The distinguished Senator from South Dakota, who serves on the Committee on Armed Services, knows that in certain places, merely by spending small sums of money, bottleneck conditions can be remedied. That is something which ought to be done. I think it is time the Federal Government, in this very modest way, showed a little more concern about the problem of evacuating congested areas in the event of an attack. The amount which is provided is not sufficient to do very much, but if properly used it could help tremendously.

Mr. GORE. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. GORE. I have listened to the colloquy between my senior colleague and the junior Senator from South Dakota. It would appear that the modified amendment which my colleague has suggested would involve the apportionment formula.

Secondly, I concur in the sentiment expressed by the Senator from South Dakota that funds are available for urban extensions of not only the primary highways, but also of the interstate and secondary highways. There is no reason, as I see it, why the Senator should not submit his proposed section 14, making a declaration of policy, under which the Secretary of Commerce, the various State highway departments, and the municipal authorities could use and apportion in even greater amount than the Senator has suggested, the urban funds, of which \$200 million are provided in the bill.

I believe the Senator would accomplish his purpose by having section 14 of his original amendment adopted.

Mr. KEFAUVER. I thank the Senator. Then, so that we may have the legislative intent expressed, is it the intent of the sponsor of the bill—

The PRESIDING OFFICER. The time of the senior Senator from Tennessee has expired.

Mr. KEFAUVER. I yield myself an additional 5 minutes.

Is it the intent of my colleague from Tennessee, who is the sponsor of the bill, that of the amount provided for urban roads—\$200 million annually—the Secretary of Commerce shall have a right to apportion or use some part of that sum for the purpose of special civil defense needs, including the removal of bottlenecks on the urban highway system?

Mr. GORE. Let me put it this way: The \$200 million available for urban roads, as provided in the bill, is for the extension of secondary and primary roads within urban areas. I know of no reason why, with the declaration of policy contained in section 14 of the Senator's amendment, the Secretary of Commerce could not make available portions of the urban highway funds for the development of urban extensions of primary, secondary, and interstate roads. That would not only serve the purpose, it seems to me, which the Senator has in mind, but it would also facilitate the further development of urban extensions of the existing system of highways.

Mr. KEFAUVER. I appreciate the clear statement of intent as made by my colleague from Tennessee, who is the author and the sponsor of the bill.

Mr. President, on that basis, I ask unanimous consent that the first part of my amendment, down to and including line 23, on page 2, be stricken; and that the amendment be considered only beginning with the part setting forth the policy matter to which we have referred, which is section 14.

The PRESIDING OFFICER. The amendment of the senior Senator from Tennessee will be so modified.

The question is on agreeing to the amendment, as modified, of the senior Senator from Tennessee.

Mr. GORE. Mr. President, I will accept the amendment and take it to conference.

Mr. BUSH. Mr. President, I should like to make a comment about the Senator's amendment. Would that be in order now?

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Connecticut for such time as he may require.

Mr. BUSH. I shall need only 5 minutes.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 5 minutes.

Mr. BUSH. I thought the senior Senator from Tennessee spoke rather disparagingly of the Administrator of Civil Defense respecting this matter. He said the Administrator had no plan at all in connection with the proposition.

I think the testimony of the Administrator before the committee indicated that he had given the matter very careful consideration. He highly endorsed the Clay report and the administration bill in connection with the National System of Interstate Highways. I refer Senators to page 592 of the hearings, where the Honorable Val Peterson, Administrator of Civil Defense, said, in part:

A highway program that will provide for the improvement of highways critically need-

ed for peacetime use will furnish an important service in the event of a civil-defense emergency. The administration's highway program proposes that \$25 billion be made available to finance improvements on the National System of Interstate Highways.

The rural portion of this system, particularly in the more densely populated areas, and virtually all of the urban portions of such system, will constitute the backbone of the highway system required for civil-defense purposes.

I refer also to page 5 of the message of the President, in which reference is made to the civil-defense aspects of the entire highway program. The paragraph is entitled "Civil-Defense Aspects."

Another paragraph refers to the traffic jams, and so forth, and the very urgent need for an interstate highway system to deal with the whole situation as it affects the national defense.

Mr. President, I submit, as I have before, that while I have no objection to this amendment, the bill to which it is offered does not come to grips directly, thoroughly, or satisfactorily with the problem of civilian defense.

I shall not oppose the amendment, but I did want to make that observation about the bill to which the amendment is offered.

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Tennessee [Mr. KEFAUVER] as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill is open to further amendment.

Mr. KERR. Mr. President, I offer an amendment to the bill, to strike out subsection (f), on page 17, beginning on line 18 and ending on line 22.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Oklahoma.

The LEGISLATIVE CLERK. It is proposed to strike out subsection (f) on page 17, as follows:

(f) Nothing in this section shall be deemed to preclude reimbursement to States of the Federal share of the State's costs in connection with the relocation of utility facilities where a portion of the relocation cost is required by law or practice to be borne by the State.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. KERR. Mr. President, in this connection I wish to say that, in my judgment, the provision I am asking to have deleted does not add to the effectiveness of section 11, but it has been

interpreted by some persons as placing a limitation upon subparagraph (d) of section 11. In view of the fact that it was not the intention of the committee to do so, and in order to preserve the benefits of section 11 without impairment, the amendment was discussed with the chairman of the subcommittee, with the distinguished Senator from South Dakota [Mr. CASE], and with other members of the committee, and it was felt that elimination of the subsection would add value to the bill, and not detract in any way from it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma [Mr. KERR].

Mr. GORE. Mr. President, it seems that it is agreed all around that subsection (f) can be deleted without doing violence to the purposes of those who advocated the provision, and I accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma [Mr. KERR].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. JOHNSON of Texas. Mr. President, I think the distinguished Senator from New Hampshire [Mr. COTTON] desired to speak. Does the Senator have an amendment to offer?

Mr. COTTON. No. I shall withhold my request.

Mr. JOHNSON of Texas. I wished the Senator from New Hampshire to be recognized, but he has to have time allotted to him.

Mr. KNOWLAND. Mr. President, how much time does the Senator desire?

Mr. COTTON. Three minutes.

Mr. KNOWLAND. I yield 5 minutes to the Senator from New Hampshire, to be taken from time allotted on the bill itself.

Mr. COTTON. Mr. President, I merely desired to call to the attention of the Senate at some point during the consideration of the important subject now being discussed the fact that the current issue of Life magazine, which is dated May 30, 1955, and presumably is hardly yet on sale on the news stands, carries a very remarkable article entitled, "Dead End for the United States Highway." The article reviews in a rather able way the highway problem. It calls attention to the fact that the Memorial Day weekend just ahead of us will launch what will be a record motoring season, in which more cars will take to the roads than in any other year in the history of the Nation. The article states that more than 50 million cars will be on the highways on the Memorial Day weekend, and approximately 360 persons will lose their lives.

Among the striking points brought out in the article is its conclusion, after reviewing the Clay report, that regardless of whether the Congress adopts the Clay plan, regardless of whether the Nation spends in excess of \$101 billion on the highway program, the United States will spend that much in the next decade

on its roads, anyway. I read further from the article:

Even at the present slim rate of expenditure, it will spend \$47 billion in the next decade. But it will spend far more than what it normally spends on road maintenance for automobile insurance to safeguard itself on its insecure roads. And it will spend, unknowingly, \$5.5 billion this year on extra gas, oil, tires, etc., expense caused by unnecessary stops and starts and long waits. That figure will rise to \$8 billion a year by 1965.

The article then comments on a statement by a former United States roads commissioner, who remarked that a Nation pays for good roads, regardless of whether it has them; and it pays more for bad roads.

Mr. President, I ask unanimous consent to have the article to which I have referred printed at this point in the body of the RECORD, so that all Senators may have an opportunity to read it. The article is entitled "Dead End for the United States Highway," and was written by Herbert Brean.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DEAD END FOR THE UNITED STATES HIGHWAY

(By Herbert Brean)

Among other things, the United States consists of 165 million people, 59 million automobiles and 3.4 million miles of road and highway. The people are reasonably intelligent. The automobiles are big, fast and comfortable. The highways are awful, although how awful not even the reasonably intelligent people appreciate. This may be because few Americans ever see as much as one-half of 1 percent of their Nation's roads and consequently they tend to think of the narrow, congested, archaic and hazardous one-half percent that they themselves customarily use as worse than the rest.

This is in error. It is practically all worse.

Another reason may be that Americans identify their highway troubles with traffic rather than with the highway itself. Delayed, frustrated or bumped from behind, the American motorist instantly blames the other guy. This is like blaming the fish in the sea for a contrary tide or a shallow channel, but the motorist does it because the highway and its defects have been so familiar to him for so many years that he simply no longer sees it as it is.

This Memorial Day weekend launches what is going to be a record motoring season, during which more cars will take to the road than in any year in United States history. Over the weekend there will be 50 million automobiles on the highways and probably 360 people will die. Everyone will see the traffic but few will really study the highways. But those who do can reduce their own danger of injury or death, and those who examine the highway long enough might even be moved to do something constructive about it and thus save themselves enormous sums.

If this weekend's average motorist could somehow be given an aerial glimpse in one look of the entire United States road system, crawling with molasses traffic, he would come to a fast boil of indignation. If he looked at it through the eyes of a highway engineer he would go jumping, screaming mad. For he would discover that while the highway network of the world's richest, most mobile Nation consists of 3.4 million miles of roads, only a little over 400,000 miles has what engineers call high-type pavement—solid concrete or asphalt.

1955 CARS, 1935 ROADS

He would notice that the country has thousands of miles of back roads which average less than one vehicle per day and that the great bulk of national travel is concentrated on the primary-road system. (Seven States have half of all United States cars.) He would observe that more than half the primary-road system still bears the design of 20 years ago, and that a third of it was built before 1930, when rural traffic averaged 26 miles per hour (it now averages 47 miles per hour).

He would look again at the heart of the United States highway network, the Interstate System, which is less than 40,000 miles long and yet links almost all cities over 50,000 population, serves more than half the United States population, and carries one-seventh of all the Nation's traffic. Eighty-five percent of the Interstate System is already inadequate—narrow, acutely curved, dangerously graded, frequently intersected, narrowly shouldered or shoulderless—or is in the process of becoming so in the light of the next decade's predictable traffic burden.

If our average motorist had an experienced highway engineer at his elbow as he looked down on the holiday chaos he might learn that whatever each motorist paid for this inefficient highway system in the form of physical damage to life and limb, or psychic damage to his nervous system, he was also paying an extra—and unnecessary—cent to 2 cents a mile for the exasperating privilege of driving on it. This is without reference to tolls (there are less than 1,500 miles of toll road in the United States and only 2,700 miles of parkway or throughway). It is the cost of the extra gasoline, oil, tire expense and lost time caused solely by bad highways, as worked out by Lawrence Lawton, a New York city traffic engineer.

Lawton's study, which was made in 1950 and figured the cost of gasoline at 23 cents a gallon—it now costs around 29 cents—indicated that it costs 5.6 cents per mile to drive an average passenger car on a congested business street, 4.5 cents on a through city street, 3.3 cents on an expressway. A similar study made in 1953 of Los Angeles area freeways indicated that savings, including allowance for drivers' time, averaged 2 cents a mile for a freeway compared to an ordinary highway. The total saving for all drivers using the freeway would completely pay off its cost in less than 10 years.

Our motorist-observer might also be told by an engineer that a 4-year study of Connecticut highway accidents shows that his chance of having an accident is almost doubled by driving on an inadequate, which means any old-fashioned, highway, no matter how cautiously he drives.

Finally, if he knew what the future holds for him, this weekend motorist would take a last look from on high at the highway network below, then tear up his driver's license and sell his car. In recent years United States auto production has averaged about 6 million new vehicles per year while the Nation has been scrapping around 4 million a year. The result: 15 years ago this country had 32 million motor vehicles, today it has almost 60 million. More than 3 million new cars were produced in the first 5 months of this year alone. By 1965, only 10 years from now, there will be an estimated 81 million cars, buses and trucks on the highway.

But what kind of highway?

This year the Nation will spend at least \$10 billion for new cars. It is spending only \$6 billion both for highway construction and for repairs. We are actually building cars faster than we are pouring the concrete on which to park them, let alone drive them. Barring a world war or a 5-year strike in the auto business, the United States in the next decade faces highway congestion and gen-

eral traffic paralysis that will be simply incredible.

What has gone wrong? The answer can be found in the history of one stretch of a typically busy highway, U. S. No. 1 from Baltimore to Washington. For 200 years No. 1 has traversed almost 30 miles of rolling, sunwarmed, wooded hills in Maryland's countryside.

A road was first scratched through wood and field from Elkridge, just south of Baltimore to College Park, north of Washington, in 1749. This was little more than a scarified streak in the earth, in some places studded with tree stumps, for no one much cared what happened to travelers. One of them in the years that followed was George Washington, whose wagon once sank up to its boxes in the road's rain-churned ooze near the Patuxent River and had to be extricated with additional horses and ropes. Another time, when Washington had stopped at Spurrier's Tavern at Waterloo for dinner, his horse fell dead, exhausted by the highway's summer heat.

The 19th century was a stagnant time for this road, as it was for almost all United States roads. Although a Washington and Baltimore turnpike road company was organized in 1812 and obtained a 60-foot right-of-way to build a turnpike over the old road, it never kept the pike in repair. Few such companies ever fulfilled their obligations; this was a time of burgeoning rail and canal travel.

In 1844 wires were strung on poles along the road. On May 24 Samuel F. Morse transmitted his famous message, "What hath God wrought" from the Capital to Baltimore on his new telegraph instrument. That invention helped reduce the need for travel.

After the Civil War, which affected the road relatively little since most of the fighting took place to the west, the turnpike company's charter was revoked. Ownership of the raw streak through the hills reverted to the three counties it traversed. When the 20th century dawned, it was a 15-foot path of blowing dust in dry weather and an axle-snapping morass in wet, with grades as steep as 9 percent and treacherous curves coiled haphazardly through the hills. That is how things were 150 years after the birth of the road, when the Nation stood on the brink of the most stupendous transportation revolution in history, and that is how things were with almost all United States roads.

By 1906 there were more than 100,000 passenger cars registered in the United States. That year Maryland's General Assembly appropriated \$30,000 for each of the next 3 years to be spent on rehabilitating the road, henceforth known as State road No. 1. That expenditure, handsome for the times, was the beginning of a long, losing battle.

State road No. 1 was gradually paved with 14 feet of macadam, concrete, and occasional gravel, although by 1910 the assembly had to appropriate another \$100,000 for it. When it was completed in 1915, comprising 29.95 miles from the Baltimore city limit to the District of Columbia limit, it had cost more than \$600,000 and portions of its thin, 6-inch roadbed already had had to be resurfaced because of the intensity of the traffic.

The steady pounding of the solid rubber tires on World War I's military trucks ground the road's tender pavement to rubble and shale, and the record cold of the 1917-18 winter damaged it further. So 3-foot concrete shoulders were added to each side, increasing the width to 20 feet, and the center was repaved. In 1919 the State roads commission proudly announced it was whitewashing all bridge headwalls, poles and other objects near the road edge for safer night driving. Motorists applauded. White middle lines were added on the hills in 1920-23.

A KILLER'S MOUNTING TOLL

The road had begun killing people—2 or 3 a year—long before. Now, with traffic mounting and commerce booming along its narrow length, more and more died in ghastlier accidents. Pop stands, a few discreet speak-easies, filling stations and real-estate shacks grew up along the road. In the dark of night bootleggers in souped-up cars ran their loads of liquor along it.

The nicknames the road collected describe its character: Billboard Boulevard, Death Highway, Hot Dog Highway. Of course it had a dead man's curve—a seemingly endless "S" south of Elkridge which has killed and maimed dozens, and was twice relocated and rebuilt. In 1925 the road became a part of United States Highway No. 1, the main street of the east coast running the length of the eastern seaboard from Fort Kent, Maine, to Key West, Fla. Commerce along it blossomed anew. By 1929-30 traffic was so heavy that the third complete rebuilding of the road had to be undertaken. The original 20-foot width was doubled, making four 10-foot lanes. But now it cost \$1,760,000.

For the road's pattern and essential character, like that of a human, had been formed in the early years of its life and was confirmed by the army of unregulated motels, pizza palaces, used-car or trailer lots, occasional private homes and beer joints that moved greedily to its very edge, cutting into it with abrupt, accident-causing driveways and lining it with eye distracters. Furthermore, the State learned that while it held title to a 60-foot right-of-way wherever the road followed the ancient turnpike, it could not afford more than a 40-foot width wherever the road had been or was to be relocated because that would have meant condemning now-costly business property.

Thus, even a quarter century ago, the road had become a hardened artery impossible to enlarge, a taut, nervous, peril-filled channel through which traffic poured and trucks roared in constantly increasing streams. The road averaged 6,000 vehicles a day then, but this often reached 18,000 or 20,000 on holiday weekends. Then there were horrendous traffic jams that reduced motorists, cops, and Monday morning editorial writers to sputtering, apoplectic exasperation. But no one could do anything about it.

OXCART ROUTE FOR GIANT TRUCKS

In the years that followed, Maryland's road commission did all that could be done with that wreck of a highway: it eased some curves, eliminated grade crossings, widened bridges, installed traffic signals and spent millions of dollars in all on the 30 miles. Yet, as the century's second half began, it was still a road that had once been laid out for horse-drawn stages and oxcarts, it was carrying 25,000 to 30,000 fast-moving vehicles a day (40,000 at some points near the Washington end), killing 30 and 40 people a year and injuring 15 times that number.

You did not have to know this to feel uneasy on the road. Each of its 4 unseparated lanes was only 10 feet wide. (Modern cars are between 6 and 7 feet wide.) When 2 pairs of cars rushed side by side at each other on an 8° curve like the one at Beltsville there was little room to swerve or sway without chancing a side-swipe or head-on collision. Passing or being passed by one of the towering 20-ton trucks that thronged the road night and day was a jittery experience. Always you knew there was the chance that someone would pull out from 1 of the approximately 1,000 driveways that cut into the highway or that the car in front of you would suddenly slow down to turn off. You drove with a constant, though only half-recognized, feeling of irritation and anxiety that sometimes led you to drive faster than the 50-mile speed limit in order to get this unpleasant stretch over with.

Perhaps that is how some of the more shocking accidents happened. The couple, for example, who drove too fast one night, sideswiped another car and orphaned their seven children. Or the five young soldiers starting home on leave who crashed into a taxi near the Howard County line and were all killed, as was the cab driver. So savage was that head-on collision that State troopers who answered the call had to walk through a blood pool that seeped over the thick soles of their police boots. Then there was the 8 a. m., broad-daylight crash on New Year's Day, 1951, when a Washington-bound car crossed the double center line on the road near Route 32 and smashed head-on into a northbound one containing some Pennsylvania educators. The two cars contained seven people; all of them died. One body was hurled 75 feet into a field.

There were hundreds of lesser accidents, sometimes 1,400 a year, for left turns were permitted almost everywhere, resulting in many, often multiple, rear-end collisions. U. S. 1 echoed regularly to the clunk and crash and shriek of outraged steel.

Sadly enough, much of this bruising mess was avoidable. For instance, one of the greatest single causes of traffic fatalities, the head-on collision, can be virtually eliminated by an adequate middle strip separating the opposing lanes of traffic. While this narrow road had no room for the 15-foot strip regarded as necessary, some sort of narrow but high curb would have helped. But local merchants, dependent on the road's traffic for their trade, protested loudly that such a barrier would cut their business in half. For the same reason they protested bans on left turns which would have eliminated many of the characteristic rear-end collisions.

Had the State been able to restrict the number of private driveways leading into the road, or to get enough additional land along it to create shoulders wide enough for pedestrians to walk on safely, the road's entire capacity and safety record would have been different. Even banning poles, signs, and other impediments from the pavement's edge would have tended to widen it in effect for, as traffic studies show, any obstacle erected at the edge of a 10-foot lane causes drivers to travel $2\frac{1}{2}$ feet farther in from the pavement's edge than normal, whereas objects 4 feet or more from the edge have only minor effect. But the people of Maryland, and indeed the people of the entire United States who also help to support this road, had lost control of its borders even though borders can be as important as the central roadway itself.

Maryland finally came to the conclusion that patching old No. 1 would never be enough. It inaugurated programs costing hundreds of millions of dollars to bring its roads up to modern standards, and one of the first targets was the Baltimore-Washington stretch. A few miles to the east of No. 1 the State and the District of Columbia jointly built an entirely new expressway consisting of 2 sets of widely divided, 12-foot lanes with gentle grades and long easy curves, through a pretty countryside devoid of billboards, honky-tonk stands, or grade crossings of any sort. The speed limit is 55 miles per hour and motorists now get from Baltimore to Washington without a single stop, in a half hour or a trifle more. They get there comfortably and safely too, for it appears the mortality rate on this expressway will at least be as low as on similar expressways—one-third to one-fourth of the death rate on parallel, comparable old-style roads. Furthermore, although the entire length of 29.29 miles was not opened until last October, a part of it was in use earlier and diverted so much traffic from the old road that only 15 died on "death highway" last year.

Examined in the perspective of 200 years, the history of the now bypassed No. 1 is a discouraging tale of degradation and defeat. And that is the history of most United States highways. Once the highway was indeed a way—"that along which one passes or progresses to reach some place," in the words of Webster. But the rapid development of auto transportation, coupled with laggard upkeep of roads, failure to modernize, and the unrestricted encroachment of roadside business, have turned much of the national highway into a choked, slow-moving business avenue. The basic highroad principle has been forgotten.

This year the Federal Government moved to do something about the degraded United States highway. At the request of President Eisenhower, a committee headed by Gen. Lucius Clay studied the national highway situation and then made a series of recommendations, predicated on the expenditure during the next decade of \$101 billion. This is \$54 billion more than would be spent in that time at present rates, and the Clay Committee proposed that the difference be financed in part by creation of a Federal corporation that would issue bonds redeemable by gasoline and oil taxes. This drew heavy criticism from Congress as a dodge to escape increasing the Federal debt, and consequently national attention was focused on the plan's financial framework instead of on its farsighted solutions to the Nation's highway imbroglio.

That was very unfortunate. The Clay program is noteworthy for two major reasons. First, it took into account, possibly for the first time in our history, the fact that all estimates of future highway needs have heretofore fallen grievously short of actual needs. An example is New Jersey's "new" (1951) quarter-billion-dollar turnpike, which was to have paid off its cost in 35 years; instead it will pay it off in 22, because its toll receipts are so unexpectedly large. (The turnpike itself is already being widened in places.) Clay and his associates recommended enlargement of the interstate highway system by 1965 to accommodate the traffic volume expected by 1975, when the United States will have upward of 100 million vehicles. If the Clay proposals were put into effect, the United States might find itself in 1965 a little ahead of its highway problem, for the first time in history.

MAKING WAY FOR A CUSTARD

The second salient feature of the Clay recommendations was the emphasis on the principle of limited access. With the exception of the present total of 4,164 miles of throughway, the United States highway system has always operated on the principles of unlimited access, i. e., anyone owning property along a highway has the right to cut as many entrances into it as he wishes, anywhere on his land. When the highway was an empty road traversing wilderness this did not matter. Today, as the example of U. S. 1 shows and every motorist knows, a busy highway that is unprotected from every entrepreneur able to obtain a license to sell frozen custard or foot-long hotdogs quickly ceases to be a traffic carrier. This means that the public which may have spent \$1 million per mile to get the highway service it needs is quickly deprived of that service by merchants who settle along its edge, lure traffic to the curb, and fight every effort to keep cars moving steadily and swiftly. There is a neat illustration of the futility of this at Lafayette, Ind., where a bypass was built to carry east-west traffic around the town's congested business section. However, access to the new highway was not controlled, with the result that it was quickly lined with roadside business and its original purpose defeated. A chagrined State highway

department is now considering the possibility of building a bypass around the congested bypass.

To restore the United States highway's character, Clay and company boldly proposed that the entire interstate network be either converted to limited access through relocation or land acquisition or protected against future encroachment by legislative act. This means that 180- to 250-foot rights-of-way would be obtained or set aside for future widening, and service roads would be built to accommodate nearby business. This would eliminate most crossroads and permit 60-mile speeds in safety.

Other Clay recommendations would increase the number of lanes in the interstate highway system by about 50 percent. The system would then consist of 2,300 miles of 6-lane or wider highways, more than 28,000 miles of 4-lane highways, and about 7,000 miles of 2-lane highways. All but the 2-lane highways would be divided expressways, with lane 12 feet wide and 10-foot shoulders for buses and disabled cars to stop on. (One car stopped on the pavement can reduce the traffic capacity of a road by 60 percent, and today car disabilities occur once every 20,000 vehicle miles.)

Congress will almost certainly pass some kind of highway legislation this session, though not the legislation proposed by the Clay report. A bill introduced by Democratic Senator ALBERT GORE, of Tennessee, calls for a Federal-State expenditure of about \$18 billion over a 5-year period (\$8.6 billion for the interstate system, \$9 billion for primary, secondary, and urban highways, and \$330 million for park, forest, and other miscellaneous roads). The Gore bill's modest provisions, which would be conventionally financed by Government appropriation, have been attacked by a number of State governors, as well as by New York's famed highway and park expert, Robert Moses, who has pointed out that the Gore bill does not provide for proper land acquisition and that its pay-as-you-go feature is shortsighted, since future drivers who will use the new roads will not have to help pay for them.

Still, the Gore bill has survived Senate committee hearings. The House, on the other hand, is known to show somewhat more favor for the Clay plan. Since Treasury Secretary Humphrey has suggested that the Federal debt limit be increased to include the bond-financing feature, it seems possible that some of its provisions may be adopted.

Whether or not Congress adopts the Clay \$101 billion program, the United States will spend that much in the next decade on its roads anyhow. Even at the present slim rate of expenditure, it will spend \$47 billion in the next decade. But it will spend far more than what it normally spends on road maintenance for automobile insurance to safeguard itself on its insecure roads, and it will spend, unknowingly, about \$5.5 billion this year on extra gas, oil, tires, etc.—expense caused by unnecessary stops and starts and long waits. That figure will rise to \$8 billion a year by 1965.

As a former United States Roads Commissioner has remarked, a nation pays for good roads whether it has them or not—and it pays more for bad roads. That being the case, it would seem that the cheaper price tag on the Gore bill is more apparent than real. The objections to the original financing methods of the Clay program were sound, but nothing less than the broad planning and new construction embodied in that program will save the country from eventual strangulation. The obvious problem before Congress, therefore, is to find a sound financial base for a program with the breadth of the Clay proposals.

Mr. HICKENLOOPER rose.

Mr. JOHNSON of Texas. Mr. President, I understand that the Senator from Iowa has an amendment at the desk. I now yield to him such time as he may require.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. HICKENLOOPER. Mr. President, I call up my amendment in the nature of a substitute, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. In the amendment in the nature of a substitute to Senate bill 1048, offered by Mr. MARTIN of Pennsylvania, for himself, Mr. BUSH, and Mr. COTTON, it is proposed, on page 20, beginning with line 18, to strike out all down to and including line 6, on page 22.

In line 8, on page 22, it is proposed to strike out the words "a toll or."

On page 22, it is proposed to strike out the language in line 19 through line 22.

The PRESIDING OFFICER. How much time does the Senator from Iowa allot to himself?

Mr. HICKENLOOPER. Sufficient time, but I believe I shall take only about 3 minutes.

Mr. President, I have had the amendment checked by the experts on the bill, so as to be sure that the amendment will accomplish what I wish to have accomplished.

All this amendment to the substitute would do would be to strike from the substitute the provision conferring authority on the corporation to indemnify, under a certain formula, States which have existing toll roads. Under the amendment, they would be paid under that formula for their toll roads, and then the States would be permitted or given an opportunity to use that money on other roads; but under the substitute they would be permitted to continue to collect tolls on the toll roads.

Mr. President, such a situation is one which I do not believe I could tolerate. I believe it is bad legislation, under all the circumstances, in connection with this program.

Therefore, I have submitted the amendment which will eliminate that particular provision from the substitute. My amendment will leave in the substitute, provision to enable the corporation to acquire free roads under a formula of acquisition and payment based upon the amortized value, but will eliminate the provision of the substitute which would permit the toll roads to continue to be operated as toll roads after the States had received compensation for their construction.

Mr. President, that is all there is to my amendment to the substitute. I do not care to take any more of the time of the Senate to discuss the amendment, unless there are some questions to be asked about the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa [Mr. HICKENLOOPER] to the substitute amendment of the Senator from Pennsylvania [Mr. MARTIN].

Mr. JOHNSON of Texas. Mr. President, I call the attention of the junior Senator from Tennessee [Mr. GORE] to the fact that I control the time in opposition to the amendment offered by the Senator from Iowa to the substitute. I do not know what position the Senator from Tennessee will take on this question, but I yield to him whatever time he may desire to use.

Mr. GORE. Mr. President, I believe I shall use 2 minutes.

Mr. JOHNSON of Texas. Then, Mr. President, I yield 2 minutes to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 2 minutes.

Mr. GORE. Mr. President, during the consideration of the bill, both in the committee and on the floor of the Senate, no group of men could have been finer in their attitude than have been the minority Senators. Despite the fact that they were not conscientiously in support of the bill as reported by the committee, they cooperated and helped make the bill as good as possible.

Now the time comes for consideration of the measure offered as a substitute for the bill reported by a majority of the committee.

The question now before the Senate is on perfecting the proposed substitute. So far as I am concerned, I desire to have the minority members of the Public Works Committee perfect their substitute in whatever way they wish to have it perfected, so that when the vote finally comes on the question of agreeing to the substitute, the minority will have before the Senate an amendment with which they will be satisfied.

So far as I am concerned, I expect to follow the views of the ranking minority member of the committee, the senior Senator from Pennsylvania [Mr. MARTIN], in respect to amendments to the substitute.

Mr. MARTIN of Pennsylvania. Mr. President—

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the distinguished senior Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 2 minutes.

Mr. MARTIN of Pennsylvania. Mr. President, the matter of toll roads has been discussed considerably since the bill was before the committee. It seems to me it is most unfair to penalize the States which have been sufficiently forward-looking to build toll roads. My own State of Pennsylvania, built the first modern toll-road in the Nation. That road has been a marvelous financial success, and it has also been a great success from the standpoint of transporting materials by truck, transporting people by bus, and transporting individuals in their private automobiles. People from all over the Nation have been traveling on that road.

So this proposal seems to me to be eminently unfair because under it we would receive only the depreciated value, and it would be necessary to pay off the bonds before we would have a free road.

I believe it would be most unfair to penalize the States which have been sufficiently forward-looking to inaugurate a toll-road plan.

Mr. HICKENLOOPER. Mr. President, let me say to the Senator from Pennsylvania that I have no thought or desire of penalizing the States which have been forward-looking as regards toll roads. I desire to call attention to the fact that there still would remain in the substitute the provision that if the corporation takes over the toll roads and pays off the investment in them, those roads then would become free roads. That provision will still remain in the bill, if my amendment is agreed to.

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the distinguished Senator from Connecticut [Mr. BUSH].

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 2 minutes.

Mr. BUSH. Mr. President, I have consistently supported the provision in the Martin substitute which the Senator from Iowa [Mr. HICKENLOOPER] wishes to strike out, namely, the credit for existing toll roads. I think, in equity, it is a perfectly proper provision. The governors who testified before the committee very strongly supported that provision. I think it is fair to say that on close examination it will be found that the question is rather academic. The quality and construction of existing toll roads simply do not measure up to the standards of the interstate highway system as of today. I have assurance from the Bureau of Public Roads that today there are no toll roads in the country which would meet those standards and be accepted into the interstate system under the provision which the Senator from Iowa now wishes to strike out. So while I shall vote against his amendment, I think it is fair to say that under present conditions the question is academic.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa [Mr. HICKENLOOPER] to the amendment in the nature of a substitute offered by the Senator from Pennsylvania [Mr. MARTIN].

Mr. HICKENLOOPER. Mr. President, I yield back the remainder of my time. Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of the time allotted to me.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa [Mr. HICKENLOOPER] to the amendment in the nature of a substitute offered by the Senator from Pennsylvania [Mr. MARTIN].

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question now is on agreeing to the amendment in the nature of a substitute, offered by the Senator from Pennsylvania [Mr. MARTIN], as amended.

Mr. MARTIN of Pennsylvania. Mr. President, I yield 1 hour of my time on the substitute to the minority leader.

Mr. KNOWLAND. Mr. President, I yield 15 minutes to the Senator from Pennsylvania [Mr. MARTIN].

Mr. MARTIN of Pennsylvania. Mr. President, in my study of the Nation's vital need for an accelerated highway-development program I have become convinced beyond all question that the plan proposed by the President of the United States on the recommendation of the Clay Committee and the conference of governors is sound financially, sound legally, and sound morally.

I think my position with regard to Government finance is well known to my colleagues. For many years I have taken a firm stand with those who believe that one of our primary objectives should be a balanced budget.

On numerous occasions, on the floor of the Senate and elsewhere, I have warned against the dangers of continued deficit financing.

I have argued that excessive taxation and an ever-increasing burden of debt can prove disastrous to our economic stability and the national security.

I have always favored the pay-as-you-go principle at all levels of government because it means greater economy and provides the most effective method by which taxes can be kept at the lowest possible level.

If it were possible to do so, I would prefer to have the highway-expansion program carried out on the pay-as-you-go basis. But we have been told by qualified experts that we have reached an emergency situation as far as our highways are concerned.

We have been told that even with a substantial increase in taxes it would require 30 years to do the job that is needed right now and can be completed in 10 years under the plan proposed by the President and the Clay Committee.

There has been placed before us ample testimony that we are paying a high cost in lives and dollars because we have allowed our highways to lag far behind the traffic needs of today.

We are therefore forced to the conclusion that some form of credit financing is justified if we are to have a system of highways adequate to meet the demands of today and the increasing needs of the years ahead.

In my opinion the financing plan set forth in S. 1160 should be supported because—

First. It provides a method by which the necessary funds can be made available without increased taxation.

Second. It provides for the repayment of the debt on a self-liquidating basis with the costs paid primarily by those who benefit from an improved highway system.

Third. It assures the completion of the interstate system without hampering the orderly development of the other highway systems.

Fourth. It permits the apportionment of funds to the various States on the basis of actual needs.

I wish to emphasize that point. The amendment is based on needs.

Fifth. It applies the same principle that has been used for many years in this country of amortizing capital investments over a part of the life of a project. This principle has been successful whether used by private enterprise or by State and local subdivisions of government. The building of highways through the issuance of bonds is a common practice in many of the States.

The interstate system, under the plan proposed in S. 1160 will be a productive capital asset that will pay for itself many times over by generating new revenues and by advancing the economic welfare of the whole Nation.

Much of the criticism of S. 1160 has centered about the interest charges on the proposed highway bonds. Figures have been presented to show that the interest would reach a total in excess of \$11 billion during the 30-year life of the bonds.

If we could pay cash, of course there would be no interest to pay. Under any plan that would meet the present urgent highway needs credit financing and the payment of interest cannot be avoided. It is important to remember, however, that under S. 1160 we have a planned method for paying off the principal of the bonds and paying the interest in a definite term of years. On the other hand, S. 1048 makes no provision either for the liquidation of the debt incurred or for the payment of the interest. It places no limitation on the number of years during which interest payments would continue. It could go on for generations.

I do not think anyone can estimate with any degree of accuracy the total amount of interest that would be paid under S. 1048. In my opinion it would be far greater than the interest payments required by S. 1160, unless additional Federal taxes were levied.

Everyone recognizes the urgent need to bring the interstate highway system up to adequate standards. It is the trunk of the highway tree. Despite its vital importance to commerce, travel, and defense, it has lagged far behind the present needs. It is estimated that in the next 10 years the number of automobiles in the United States will increase from present levels of approximately 58 million to 81 million.

It is absolutely essential, therefore, that we adopt a program at this time which will make this system of interstate roads adequate as promptly as possible. I believe that the essential parts of such a program are the following:

First. The interstate system cannot be completed on a piecemeal basis. In order that it may be brought to adequate standards within a period of 10 years, it must be planned and designed as a single nationwide project. Only in this manner

will we obtain uniform standards in the matter of rights-of-way acquisition, limited access and other important features of design and engineering. Only by this means are we able to determine the amount which is needed to bring the interstate system up to adequate standards and to assure the completion of the system with a known amount of expenditure.

Second. We must provide a definite plan for liquidating and paying off the expenditures for such a large program. It is quite apparent that, if we desire this interstate system to be completed within a reasonable period of years, starting at once, there must be some borrowing. It is very important that Congress make provision for the liquidation of this borrowing and have a definite plan for paying it off, rather than simply adding it to the general deficit.

S. 1048, the Gore bill, does not comply with either of these basic essentials. In my opinion, it represents an unrealistic approach to the problem of prompt completion of the interstate system. All reliable estimates indicate that the total cost of an adequate interstate system will approximate \$27 billion. The authorization of S. 1048 is \$7,750,000,000 less than 30 percent of the estimated cost of the system. This amount will not build the roads, and being inadequate to do the whole job, it will result in greatly increased cost.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. MARTIN of Pennsylvania. I am glad to yield, if I have the time.

Mr. CASE of South Dakota. I wish to ask only one question. The Senator recognizes the fact, of course, that S. 1048 as presently before the Senate is a 5-year authorization. The amendment is a 10-year authorization. If the pending bill were a 10-year authorization it would provide more money for the program. It is a question of whether we should do everything now or review the program after 5 years.

Mr. MARTIN of Pennsylvania. I appreciate the comments of the distinguished Senator from South Dakota, who has given so much attention to the study of the highways of our country. However, I wish to emphasize as strongly as I can the fact that we must have a plan. It must be a complete plan. Regardless of the way it is financed, it must be a complete plan. I think the first consideration is a complete plan of the interstate highway system in the United States.

The economical way to build the entire system is to plan it and construct it as an entire project, rather than to sprinkle an inadequate amount over the whole system in a partial and patchwork program.

The plain fact about S. 1048 is that it will not build the interstate system within 10 years or in any other given period.

On the other major aspect of this program, S. 1048 is equally unsound. It offers no plan to finance construction of the interstate system except through higher taxes and increased general debt.

It completely ignores the responsibility of the Congress to provide a definite

plan for the financing of the construction of the system, but, instead, would merely add to the public debt, which has already mounted to staggering proportions.

In addition to these basic objections, S. 1048 has many other serious deficiencies, in my opinion. In the first place, it increases the Federal aid to primary, secondary, and urban roads nearly 50 percent above 1954 levels, which were the highest in history, and thereby authorizes the expenditure of Federal dollars that a number of the States cannot match.

Mr. KERR. Mr. President, will the Senator yield?

Mr. MARTIN of Pennsylvania. I am glad to yield.

Mr. KERR. Is it the position of the distinguished Senator from Pennsylvania that his substitute would provide the funds with which to build the interstate system without adding to the public debt? In other words, is it his position that the obligations issued under the authority of his bill would not be obligations of the Federal Government?

Mr. MARTIN of Pennsylvania. It is the opinion of the Attorney General of the United States—and until the Attorney General of the United States is overruled by a court, it is the law—that these revenue bonds would not be a direct obligation of the United States. Personally, Mr. President, I would rather have the full faith and credit of the United States behind them, but there is a provision in the bill for the liquidation of these bonds within 30 years. To my mind, that is sound financing. The distinguished Senator from Oklahoma knows much more about financing than I do, but in my small way, when I go to the bank to request a loan I am asked how I am going to repay it, and if I can show that I have definite income over a certain period which will liquidate the debt, the loan is granted. I believe the distinguished Senator from Oklahoma has had many experiences of that kind.

Mr. KERR. I thank the Senator, but I still do not know whether his position is that the plan he proposes would cause the issuance of obligations which would or would not be direct obligations of the Federal Government.

Mr. MARTIN of Pennsylvania. Mr. President, according to the opinion of the Attorney General of the United States, as I stated a moment ago—which is the law, until it is overruled by a court—these bonds would not be a direct obligation backed by the full faith and credit of the United States. Personally, I would prefer that they would be; but we have a plan for repaying the bonds which, to my mind, is sound financing.

In contrast to S. 1048, S. 1160 will accomplish these basic objectives. Under this plan the interstate system can and would be completed within a period of 10 years, to standards adequate to handle the estimated traffic for a period of 20 years. This is essential if we intend to reduce the mounting toll in automobile deaths and injuries, promote commerce between the States and strengthen our military and civil defense.

S. 1160 makes no fresh invasion of the province of the States, and, at the same time, properly emphasizes the responsibilities of the Federal Government with respect to the national interstate system.

I call attention to the fact that the assumption by the Federal Government of paramount responsibility for the completion of the interstate system on an emergency basis, relieves the States from the usual 50-50 matching with respect to our most expensive roads.

This will enable the States to build more miles of road with other Federal-aid funds and their own matching funds on the less expensive primary and secondary road system. In short, it will result in more primary and secondary roads, without directly increasing the Federal aid to these roads. In contrast, S. 1048 will vastly increase the direct Federal aid to primary and secondary roads beyond the present capacity of the States to match those funds in many cases.

Much has been said and written with regard to the provisions of S. 1160, which would create a Federal corporation to implement this financing. The purpose of the Federal corporation is to provide a proper and convenient vehicle, to which can be channeled and dedicated the portion of the Federal gasoline tax needed to pay for the interstate construction program.

The distinction between S. 1160 and S. 1048 is simply the distinction between a program which provides a plan for liquidation of a debt, and one which does not.

The important thing is to have a definite and workable plan for completing the program and liquidating the cost.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an address which I delivered in St. Louis, Mo., on November 11, 1926, when I was requested to speak on a model gasoline-tax law.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A MODEL GASOLINE-TAX LAW

A model law directing any governmental activity is most difficult to frame. The boundaries of our Nation are so extended, our industries so diversified, and our constitutional limitations so varied that a uniform law applying to all of the States is almost impossible.

Before discussing the immediate subject assigned let us for a moment consider taxation generally. In a representative form of government tax measures are usually a compromise. Nearly every kind of industry observes, through organized effort, all tax legislation affecting it. The desire is to pass the burden to some other class. Efforts along these lines have increased as taxes become higher. Preceding the World War few business concerns, in the formation of their budgets, dignified taxes under a separate head. All tax payments were placed under miscellaneous. Now taxation is one of the heaviest burdens met by businessmen. In fact, it is a fortunate corporation which is able to pay out in dividends to its shareholders an amount equal to the sum assessed in various forms of taxes.

The basic theory upon which any tax is levied or assessed against certain property is

that the holder thereof receives certain benefits therefrom. There is more dissatisfaction over the methods used in raising funds to carry on the various functions of government than from any other cause. The expenditure of the money received from taxes is not as important as a just and equitable plan of levying the same. Improper expenditure may be corrected, but an unsound tax policy may bankrupt commercial enterprises before a slowly acting legislative body may be able to pass remedial measures. The competition in different lines of business is so keen that favorable taxation frequently means the success of the proposition. The expenditure of public money is quite safely guarded by the various checks provided by law, and the general criticism against taxes as a rule is not so much how they are expended but how they are assessed and collected. The proper raising of revenue of a nation or subdivision thereof determines, to a great extent, the prosperity of its people and the political success of the party or individuals concerned. The importance of a tax measure is thus apparent.

If a system of taxation could be devised by which all the revenue derived from the same would go to the benefit of the individuals making the payment, the plan would be ideal. This, of course, is practically impossible. We have, therefore, raised much revenue by the indirect method. A taxing system whereby the burden is equally distributed is also ideal and means the economic happiness of a State or locality.

During the last 25 years governmental activities, local, State, and Federal, have greatly increased. There is now a strong tendency to form bureaus, commissions, etc., to regulate individual activity. This all requires much money.

The three greatest avenues of expenditures at present are for roads, education, and public welfare. The State governments have assumed much of the increased expenditures along these lines. It has required many new tax measures to meet these additional expenditures. More money has been expended for roads than for any other branch of public improvement during the last decade. The money for these improvements comes from the automobile, sale of bonds, and general funds. The automobile, and the accessories connected therewith, largely take care of the construction of new roads and the maintenance of the same.

We have in America over 500,000 miles of improved hard-surfaced roads. We are spending for this purpose more than \$100 million annually. We have in the United States 18 million automobiles, 2.5 million trucks, and 60,000 motor buses. The automobile industry constitutes at the present time America's greatest export business, exceeding fuel, cotton, and steel.

We have been collecting tax on gasoline or liquid fuel since 1919. The first law was by Oregon in that year. Since that time other States have entered the fold, namely, New York, New Jersey, Massachusetts, and Illinois. There is now over \$80 million annually collected from this source. It is a generally accepted view that a gasoline tax is a logical and fair addition to the license fee of an automobile. The additional burden is distributed in proportion to the amount we use our cars. In addition, it exacts a just share from the numerous visiting motorists, who otherwise would not contribute anything for the expensive facilities which they enjoy. The field seems to be permanent and the form of the law to be used is deserving of the best study of our tax experts.

In this paper we will not attempt to give any model law, but call to your attention the certain important things for consideration in the preparation of a statute for any State.

In a general way, three principles should be followed in forming any tax measures.

First, the money derived should go as far as possible to the benefit of the taxpayer. This makes it as popular as it is possible to make any tax measures. Second, it should be difficult to evade the tax. Public opinion helps along this line more than any other single thing. If the public knows it is for a use in which it is greatly interested, it will demand that each individual or corporation pay his or its proper share. Third, it should be economical to collect. There is much opposition to many tax measures at the present time because the cost to collect the tax is too high. It has been found that gasoline or liquid fuels tax goes for roadbuilding and it is an economical tax to administer. It should be collected for less than 1 percent.

OBJECT OF THE LAW

In the framing of the law the objects to be obtained should be as follows:

1. The collection of the largest amount of tax.
2. The closest collection of the tax.
3. The most economical collection of the tax.

BASIS OF THE LAW

In the framing of the law the following are the important things to consider:

1. The thing taxable. In other words, a clear definition of the article to be taxed. It must be broad enough to meet the requirement of the State.
 2. The definition of the dealer or other agency through whom the tax is collected.
 3. The tax rate.
 4. The distribution of the tax. The use of the tax depends upon State requirements.
- In keeping with these suggestions and the objects to be accomplished, it would seem that the following definition of liquid fuels would be broad enough to assess all liquids used or usable for internal combustion engines, irrespective of their actual use and we suggest it for your consideration:

"The term 'liquid fuels' shall mean all liquids produced, prepared, or compounded for use in or usable in internal combustion engines for the generation of power, and shall include all distillates of, and condensates from petroleum, natural gas, coal, coal tar, and vegetable ferments—said distillates and condensates being ordinarily designated as gasoline, naphtha, benzol, benzene, and alcohols so usable, but not restricted to such designations."

The next question to consider is how the States shall collect the taxes. There are two distinct methods of collecting the same at the present time. One is through the wholesaler, which includes the manufacturer, importer, or producer. The other is the retailer who makes the final sale to the consumer. Out of the States now collecting gasoline tax all but five collect by the first method. Our own State, Pennsylvania, has used the latter plan, and while it has cost us less than three-fourths of 1 percent to collect, we are of the opinion the best interest of the State can be served by collecting taxes through the wholesaler, who can be defined as a "dealer" in the following language:

"The term 'dealer' shall include any person, firm, copartnership, association, or corporation who produces, refines, manufactures, or compounds such liquid fuels in the State for use, distribution, sale, or delivery therein."

The word "distributor" could be used instead of "dealer." The definition of the term "liquid fuels" may also be limited to suit the requirements of the State.

ADMINISTRATION OF THE LAW

Now let us consider some of the things necessary in the administration of the law.

1. Collection of the tax: Inasmuch as it is a State tax, it seems more appropriate that the tax should be collected directly by a fiscal officer of the State rather than through

some local officer of a county or city, or other local subdivision.

2. License: All dealers should be licensed and said license to be issued by the fiscal officer of the State through whom the tax is collected.

3. Reports: Periodical reports should be required to be submitted by all dealers to the proper fiscal officer of the State, together with the return of all taxes due on the report submitted.

4. Penalty: A penalty provided for imposition upon those dealers who fail to comply with the law in the matter of taking out a license or who fail to report and remit when due.

5. Revoking licenses: Power in the proper fiscal officer to revoke the license of any dealer who fails to comply with requirements.

6. Tax lien: Priority of tax liability in case of judicial sales, receiverships, dissolutions, or transfers.

7. Notice of change of ownership or management: Provisions requiring notice to State fiscal officers of changes in a partnership or the officers of a corporation, which is acting as a dealer.

8. License not transferable: The license to apply to the direct location for which issued and be nontransferable, either to other dealers or to a different location.

9. Notice in case of sale: Provision making any transfer of a dealer's business unlawful, unless and until the tax due from the seller is first paid to the State and then only upon 10 days' prior notice of such proposed sale to the proper State fiscal officer, by purchaser, otherwise the purchaser assumes such liability.

10. Power to audit: Power of the fiscal officers to audit the tax accounts and records of dealers to determine the correctness of any reports or returns.

RATE OF TAX

The rate depends on the amount of revenue required. The rate now runs from 1 cent to 5 cents per gallon. The average is now 0.02139 cent per gallon. It would probably make the law more popular if there could be a uniform rate, but whatever the rate is it should be sufficient with motor-license fees to maintain the highways. An investigation shows that there seems to be no complaint in States where 4 and 5 cents per gallon is charged.

DISTRIBUTION

An examination of the various gasoline and liquid-fuels tax acts of the several States discloses that about two-thirds of the taxes collected are appropriated, either directly or indirectly, to the building and improvement of highways. This is proper. There are a few States which only spend a portion of these taxes on the improvement of the highways and distribute the other portions to various functions of the State government. This violates one principle of tax-law making, but this is a question which each State should meet. We believe, however, that all the tax should be used for roadbuilding purposes.

LIMITATION OF TAX OR REFUND

Some States only tax gasoline or liquid fuels used for operating or propelling motor vehicles on the public roads, and this creates the necessity of making refunds for the return of the tax collected on that portion of the gasoline or liquid fuels not used in such motor vehicles.

Other States tax all liquid fuels sold for any purpose whatsoever and this has simplified the administration of the law, as it avoids the necessity of any refunds. We should have as few exceptions as possible in the law. Every exception makes it more difficult to operate and more open to criticism.

I regret exceedingly that I have consumed so much of your valuable time in giving a

large number of figures, but these have been given in order to show the plan upon which this tax is imposed. No tax in recent years has been levied where so large an amount of it has gone to the benefit of those paying the same. Good roads have almost revolutionized our plan of living. Millions of our people are visiting various parts of our country in a most inexpensive and pleasant manner. This acquaints them with trials and difficulties of the different sections of the country. Usually each locality considers that it is imposed upon from a tax standpoint and has the greatest difficulties to encounter as far as government matters are concerned. Traveling disabuses this to a great extent. Therefore, gasoline or motor fuels taxes used for the improvement of our highways will, to a great extent, obliterate sectional feeling, one of the more serious problems confronting the men of America in the founding of our Nation and the gradual expanse of the same.

In considering all these matters it must be remembered that America moves rapidly. That it demands improvements, but that it is our duty as the representatives of the people to survey these questions carefully and to place before the taxpayers the exact situation. In transportation the stage coach, conestoga wagon, canal and horse-car have given way to the trolley and the steam road, and these probably in turn will give way to the motor car, truck and bus, but it will cost us much money, and the users should know what they must finally pay.

Mr. MARTIN of Pennsylvania. Mr. President, I should like to say to my colleagues that I have been giving close attention to the matter of constructing roads and the method of financing them since the time I made that address.

Mr. JOHNSON of Texas. Mr. President, I yield 25 minutes to the distinguished Senator from Virginia [Mr. BYRD].

Mr. BYRD. Mr. President, the pending substitute embodies the recommendations of the President's Advisory Committee on a National Highway Program, known as the Clay Committee.

It provides for the establishment of a Corporation known as the Federal Highway Corporation. The management of the Corporation would be vested in a Board of Directors composed of five members. Three of these would be public members appointed by the President, by and with the advice and consent of the Senate without regard to party affiliation. The remaining two members would be the Secretary of Commerce and the Secretary of the Treasury, or their representatives.

This Corporation would be authorized to issue, upon the approval of the Secretary of the Treasury, obligations in an amount not to exceed \$21 billion. The bonds so issued are payable over a term of 30 years.

The interest, estimated by the Clay Committee at 3 percent would be \$11.5 billion. In other words interest would cost an amount equal to 55 percent of the bond issue.

The \$21 billion borrowed would be paid directly into the fund of the Federal Highway Corporation. It would not go through the budget, nor would it go into the Federal Treasury. It would not be included as a public debt. It would not be subject to the debt limitation established by Congress.

None of this fund would be under the control of Congress and it would not be subject to appropriation control. It is predicated upon the collection and dedication of the 2-cent Federal gasoline tax over a 32-year period.

All of the funds would be expended in the first 10 years, and in the next 22 years no funds would be available from the Federal gasoline tax. All the receipts from this tax for that 22-year period would be required for repayment of bonds with interest. In other words, the gasoline tax would be dried up for 22 years—from 1966 to 1987 inclusive.

It is obvious, of course, that the need for road construction and improvement will be just as essential during that 22-year period as it is now. In our future growth the need for road improvement can never be regarded as stationary.

In fact, no Congress can obligate a subsequent Congress to a dedication of taxes. Here is the legal opinion of the head of the Senate Legislative Counsel:

It seems elementary that one Congress, or one law enacted by a Congress, cannot completely foreclose action by a subsequent Congress, or by a subsequent law of the same Congress. To so hold would be to say that once a policy had been enunciated by the Congress it is not susceptible to change.

Mr. President, I ask unanimous consent to have printed in the RECORD as part of my remarks the remainder of the statement of the Senate Legislative Counsel.

There being no objection, the remainder of the statement was ordered to be printed in the RECORD, as follows:

That is not to say, however, that a subsequent Congress is always left with an unlimited realm of action. Rights may have accrued under a law which cannot be validly divested. But the power of each Congress to enact legislation for future application cannot be eliminated by action of a prior Congress. A change of policy by a Congress, effected by amending or repealing previously enacted laws, may give rise to causes of action by persons whose vested rights are thereby adversely affected, but unless the policy change is invalid in all aspects the power of the Congress to make the change is not destroyed by previous enactments. For example, the next Congress could reduce the amount of indebtedness which the Corporation is authorized to incur, or could provide a different method of financing with respect to obligations subsequently issued by the Corporation.

It should be noted that the bill does not appropriate the moneys in excess of \$662,500,000 collected under section 4081 and 4041 of the 1954 code, but an amount equal to the moneys collected in excess of such amount. While the obvious purpose is to earmark these revenue collections, the bill does not attempt to prescribe the tax rates under these sections of the 1954 code nor to foreclose a change in the rates.

The statement in section 2 of the bill can be taken as no more than a statement of policy by the present Congress; in fact, only of the present Congress at the time this bill is enacted. Each Congress has power to make changes in the tax laws which it deems desirable. Likewise, each Congress has power to appropriate such moneys as it deems desirable to provide for the operation of the Government and to satisfy the debts of the United States.

The answers to these two questions are in the affirmative. Each Congress has power to

repeal or reduce, at any time, the taxes imposed by sections 4081 and 4041 of the Internal Revenue Code and to reduce or repeal, at any time, the permanent appropriation made by section 105 (b) of the bill. For the same reasons, the Congress could not be compelled to increase the amount of the permanent appropriation should it prove insufficient to meet the debt-service requirements of the Corporation.

Mr. BYRD. Mr. President, there is no legal way by which we can obligate gasoline taxes to pay the interest and principal on these particular bonds.

I have searched the records and never before has such a proposal as this been seriously considered by Congress. In order to confirm this, I made inquiry of the Comptroller General of the United States, Mr. Joseph Campbell, and, on February 17, 1955, he replied as follows:

Insofar as we are aware, such a financing arrangement for a Federal expenditure program of the scale and magnitude contemplated for the proposed Federal Highway Corporation has never been used by the Federal Government.

The substitute bill would create a dummy corporation without income and without assets, and this corporation would be authorized to borrow \$21 billion. It specifically provides that this would not be a debt of the United States Government.

It was testified by leading Federal officials before committees of Congress that it would not be a debt, but that it would be an obligation, and an honest obligation. Those who testified did not explain the difference between a debt and an honest obligation. But they contended that it would not be a debt.

Nothing has been proposed during my 22 years in the United States Senate that would do more to wreck our fiscal budget system than the adoption of the measures embodied in this substitute. If it is possible to issue bonds on so-called capitalization of a tax not to be collected in full for 30 years, with a declaration that the bonds will not be a legal debt of the United States Government, then it would be possible to earmark in similar fashion other taxes, such as the tobacco tax, for some specific purpose and borrow money on it outside of the budget and the debt limitation. I could name hundreds of other taxes that could be treated in this manner. The result would be the end of honest book-keeping and confusion as to the liabilities of our Government, making it impossible to ascertain what our bona fide indebtedness is.

Every sensible person knows that a Government corporation without assets or income cannot sell \$21 billion of bonds unless actually it is Federal debt.

This is what the Comptroller General of the United States had to say. I am quoting the Comptroller General because he is the independent representative of Congress. He was appointed for the purpose of making certain that the expenditures of Congress were all made in a proper, legal manner.

In response to my inquiry of February 17, 1955, the Comptroller General said:

DEAR SENATOR BYRD: * * * You inquired as to whether or not the Government has ever used a financing arrangement such as

is proposed by the President's Advisory Committee on a National Highway Program in its report of January. That proposal called for the creation of a new Government corporation to be known as the Federal Highway Corporation and an authorization for it to issue bonds in an amount sufficient to cover the Federal share of the cost of constructing the proposed Interstate System of roads over a construction period of 10 years.

While the terms and conditions of the Corporation's bonds would be approved by the Secretary of the Treasury and the plan calls for their repayment from funds provided by the Treasury as authorized by the Congress annually (presumably by appropriation action), the plan does not specifically provide that such bonds be guaranteed by the Secretary of the Treasury. However, all related factors plus the fact that they are to be issued by a Federal corporation would have the same effect. The total amount of such borrowing from the public would amount to \$25 billion. The Corporation's activities would not be self-liquidating, it would have no important revenues, and funds for paying off the bonds would have to come from the general funds of the Treasury.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

As we spend and spend and borrow and borrow, the least we can do for future generations—our children and grandchildren, on whom we would place astronomical burdens—is to keep an honest set of books so they will know what debts we of this generation have incurred for them to pay.

Here is the language of the substitute bill in section 105 (A):

The Corporation shall insert appropriate language in all of its obligations issued under this subsection clearly indicating that the obligations, together with the interest thereon, are not guaranteed by the United States and do not constitute a debt or obligation of the United States or of any agency or instrumentality thereof other than the Corporation.

Yet, section 105 (C) provides that—

The Corporation may issue to the Secretary of the Treasury its obligations in an amount not to exceed in any one year the amount necessary above all other revenues of the Corporation to provide for debt service of the Corporation during that year but not to exceed the aggregate amount of \$5 billion outstanding at any one time.

Furthermore, section 105 (D) provides:

All obligations issued by the Corporation shall be lawful investments, and may be accepted as security, for all fiduciary, trust and public funds, the investment or deposit of which shall be under authority and control of the United States or any officer or officers thereof.

This would indicate the intention that the various Federal trust funds for which the Government is trustee, such as the social-security fund, the unemployment insurance fund, and so forth, should purchase the bonds of this no-asset, no-income corporation.

I submit it is a remarkable procedure to assert in one section of the substitute amendment that the Highway Corporation bonds are not a debt of the Federal Government and declare in another section that they are eligible for Government trust-fund investment.

The Government, in fact, owns not a dollar of these trust funds. It is acting as trustee with the sacred obligations that rest upon any trusteeship to preserve the solvency of the funds entrusted to its care.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. MORSE. I have followed the leadership of the Senator from Virginia during the past 2 years in connection with the legislation on the debt ceiling. Does the Senator share my fear that the financing procedure provided in the administration bill would actually have the effect of getting around the debt ceiling, in that the bonds would not be carried on the Federal books actually as a debt, when in fact they would be?

Mr. BYRD. The Senator is absolutely correct. As the substitute amendment is now written, the bonds would not be carried on the books as a Federal debt. In fact, they are declared not to be a Federal debt. But there is one provision, to which I have just referred, which permits the trust funds which are held by the United States, such as the social-security fund and similar ones, to invest in the bonds.

Mr. MORSE. Mr. President, will the Senator yield to permit me to ask two more questions?

Mr. BYRD. I yield.

Mr. MORSE. Does the Senator from Virginia share my fear that the effect of the financing plan in the administration's road bill will not only serve to increase interest rates in respect to financing the roads, but also will be bound to have an effect upon interest rates in the economy as a whole?

Mr. BYRD. I think the Senator from Oregon is absolutely correct. The very fact that the bonds were disowned, so to speak, as an obligation of the Federal Government will compel the payment of higher interest rates. I do not think there can be any doubt about that.

The fact remains, and we must understand it fully, that the bonds are not to be included in the public debt. Expenditure of the proceeds would be outside of budgetary procedure. Once the money has gone into the corporation, it will be completely removed from the control of Congress thereafter.

Mr. MORSE. Mr. President, will the Senator further yield?

Mr. BYRD. I yield.

Mr. MORSE. It is my understanding of the philosophy of the Senator from Virginia in regard to the fiscal policies of the Government that when a governmental function is charged with the national interest or national policy, then the cost of that function should be paid for out of the Federal Treasury, from revenue derived by the operation of the tax system.

Mr. BYRD. I entirely agree with the Senator from Oregon.

Mr. MORSE. If that is not done, and if—and I say this most respectfully—a series of fiscal gimmicks is adopted to get around the debt ceiling, to get around the low interest rates which the Federal Government has to pay when it does the borrowing, then we are likely really to

undermine the sound fiscal system of the United States. Does not the Senator agree with me?

Mr. BYRD. I agree with the Senator.

Mr. MORSE. I wish to say—and I am not trying to engage in flattery—that while the Senator from Virginia and I do not always agree on some things, nevertheless, during my term of service of 8 years on the Committee on Armed Services, whenever there was a question relating to fiscal matters, the Senator from Virginia and the Senator from Oregon never disagreed.

I congratulate the Senator from Virginia upon what I think is a great act of statesmanship on the floor of the Senate today, in warning the American people, before it is too late, what must be done in order to protect the sound fiscal policy of the Government. We must not permit the enactment of a road program having in it the financial gimmick which the administration bill has, to serve as a sort of bellwether, which will lead the country into great trouble in respect to Government finance.

Again, I congratulate the Senator from Virginia.

Mr. BYRD. I thank the Senator from Oregon.

Mr. President, it is by the devious methods I have mentioned that this debt would be created, and its advocates claim it would not be a Federal debt. We must remember that we cannot avoid financial responsibility by legerdemain, nor can we evade debt by definition.

If, by some hollow words in a bill passed by Congress, we could declare public debt not to be the Government's solemn promise to repay what it has borrowed, we could by the same process wipe out the \$280 billion of Federal obligations we owe to citizens, trust funds, banks, insurance companies, and so forth.

If we should adopt the policy of directing the Secretary of the Treasury simply to pay out money whenever an agency needed some, there would be no further need for the appropriations procedure check in the legislative branch of the Government. But that would be the result of the adoption of the amendment. In addition to the borrowing, this proposal would authorize the Secretary of the Treasury to make available to the roads corporation \$5 billion outstanding at any one time, without further action by Congress.

As an advocate of more and better roads, I am opposed to spending 55 percent of the cost for interest which will never build a foot of road—good or bad.

The substitute would abolish the State-matching formula which has existed since 1916. It would turn over to the Federal Government absolute control over 40,000 miles of our most important roads heretofore under the control of the 48 States. This plan would be the greatest single step yet taken toward Federal paternalism.

It is based upon the erroneous conclusion that the interstate system it proposes will meet the road needs of our Nation for a period of 32 years.

As I have said, it would dry up the gasoline tax for road improvement on this system from 1966 to 1987, in order to pay the bonds and the interest thereon. It apparently assumes that no new road improvement on the interstate system will be necessary in this 22-year period.

It provides for payment of principal and interest on these bonds with permanent, indefinite appropriations, which removes the corporation completely from annual appropriation control by Congress.

To qualify for roads in the interstate system, States would have to abdicate their authority over the roads within their borders and maintain them under standards and specifications fixed in Washington.

A superficial glance at the map of this interstate system as now proposed makes it absurd to think that 40,000 miles will be the iron bound limit for the interstate system of roads over a period of 32 years. I suspect the present mileage will be greatly increased when it is found that the system as now established bypasses the capitals of six States and omits many heavily traveled roads in every State.

In a growing country such as ours, a so-called interstate road today may be a secondary road tomorrow, and, because of population shifts, a secondary road may shortly become an interstate road.

Governors and Senators who have been governors know the year-to-year demands for constant changes and increases in primary system roads in their respective States. The Federal interstate system may be compared with the primary system roads in the States.

This proposed legislation specifically provides that in cases of dispute between the State and Federal authorities, the Corporation would decide, in the nature of a supreme court. Absolute Federal authority over the vital roads in all the States is a serious matter.

In testimony before congressional committees, it was clearly pointed out that on hardly any road does the so-called interstate traffic predominate over the so-called local traffic. No road system can be predicated solely upon the thought that such a road will serve interstate traffic only. Every road must serve the local traffic as well as the through traffic.

While it is not clearly defined, it is apparently provided that all concessionaires, such as restaurants, filling stations, motels, and so on, may be licensed, and it is indicated in the report that license fees would be charged. But, I emphasize, whatever may be said as to the powers of the Highway Corporation, such powers would be virtually unlimited. It could move the roadbed. It could establish a license system for all concessions, charge fees, or do anything else it might choose to do within the right-of-way limits.

To those who deny this, I should like to ask: Where are the safeguards in this legislation to prevent the Federal Government from exercising this conclusive and dictatorial control if it chooses to do it?

Mr. KERR. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. KERR. As the Senator has examined the substitute bill, has he found anywhere that anyone, with the sole exception of the Secretary of Commerce, would have any authority to spend a single dollar of this money?

Mr. BYRD. That is correct; the Secretary and the Corporation.

Mr. KERR. But the direction of where the money is to be spent is to be by one man, without any safeguard or protection given to any State in the Union that it shall receive any fixed portion or definite part thereof. Is that not correct?

Mr. BYRD. That is true. The bill provides no distribution, to the States, on any basis on which they could rely.

Mr. KERR. The bill not only vests in the Secretary of Commerce the power to which the Senator from Virginia has referred, with reference to limiting actions and issuing licenses and imposing upon the States the Federal will, with reference to specifications and locations of roads, but also denies to any State in the Union any fixed or visible interest in any particular percentage of the roadbuilding money. Is that correct?

Mr. BYRD. That is correct.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. MARTIN of Pennsylvania. Is it not a fact that under the substitute amendment the different States of the Union are, first, to make an estimate of their needs to the Secretary? The plan is to complete the entire interstate system, but the first step is that each State shall make an estimate of its needs. Is not that correct?

Mr. BYRD. That is correct; but my understanding of the substitute is that it provides no assurance whatever that any specific allocation will be made to the States over any particular period of time. As the Senator knows, the customary way of distributing road funds is on a certain base which applies to every State. There is nothing in the substitute bill, so far as I know, which would give assurance to any State that it would get any funds for road improvement over any particular period.

Mr. MARTIN of Pennsylvania. Mr. President, it is my understanding that the first step is that the State would make an estimate of its requirements, and the plan is to complete all of the approximately 37,600 miles of so-called interstate roads up to a standard that may be prescribed by the Secretary.

Mr. BYRD. That is true, but there is no basis of distribution. Let us take as an example the State of West Virginia. That State has nearly as much surface area as has the State of Virginia. Tables in the Clay report suggest that the State of West Virginia would have 250 miles of interstate highways, the State of Virginia would have 900 miles, and the State of Delaware would have 24 miles. But the bill contains no formula. There is no assurance as to when

those particular miles of roads will be improved. It may take 10 years. There is a 10-year period provided for in the amendment.

Mr. MARTIN of Pennsylvania. If the Senator will yield for another question, I should like to ask him if it is not true, as provided in the substitute bill, that within 10 years the roads would be completed.

Mr. BYRD. That is the ultimate purpose, but the point I wish to make clear is that there is no assurance to any State that there will be a certain specific allotment to it within any particular time.

Mr. MARTIN of Pennsylvania. It will be done within 10 years.

Mr. BYRD. That is true, but it is of no comfort to a State to know that it may not get an allotment for 8 or 10 years. There is no basis provided in the bill on which a State could depend for annual construction programs.

Mr. THYE. Mr. President, will the Senator from Virginia yield for a question?

The PRESIDING OFFICER (Mr. McNAMARA in the chair). Does the Senator from Virginia yield to the Senator from Minnesota?

Mr. BYRD. I yield.

Mr. THYE. Under the substitute bill now being discussed, we who live in Minnesota would have no assurance that our State would get one dollar in 1956 or 1957 or the calendar year 1958. But at some time in the course of 5 or 10 years, some funds might be allocated to us. I say "might"; it would not be mandatory that, from the funds made available through the sale of the bonds, any dollars would specifically be allocated to our State or our area. Is not that correct?

Mr. BYRD. The Senator from Minnesota is correct. There is no specific formula in the substitute bill for the distribution of funds.

Mr. THYE. I am very much interested in this point, because Minnesota is one of the States which issued bonds for the construction of its highways; and our State has probably one of the best highway systems in the land. Our system has been based specifically on using the revenue to retire the bonds.

So if, under this program, we do not have a formula which will tell us the amount of money we shall receive yearly, I am very much concerned as to what will happen to the highway system in our region.

Mr. BYRD. Of course, the Senator from Minnesota understands that under the substitute all the funds will be used entirely for the interstate system.

Mr. THYE. I fully realize that.

U. S. Route 16 and U. S. Route 14 cross Minnesota. U. S. Route 2 also crosses Minnesota, passing through Crookston and Grand Forks.

Of course, we have received Federal assistance in the development of our roads. However, under the plan here proposed, we could not be certain that we would receive any funds or any assistance in 1957 or 1958. That matter would be left entirely to the discretion of the administrator—whatever he might

be—in the Department of Commerce. He would be able to use his own discretion in determining whether possibly our State would be allocated some funds.

I wish to have that point made entirely clear, because it is a key point in determining whether to support or to oppose the amendment in the nature of a substitute.

Mr. BUSH. Mr. President, will the Senator from Virginia yield to me?

Mr. BYRD. I yield 2 minutes to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 2 minutes.

Mr. BUSH. I thank the Senator from Virginia.

Let me say I think the point which has just been made is well covered in the proposed substitute; and I now read from page 16, section 205, which is entitled "Distribution by States":

DISTRIBUTION BY STATES

SEC. 205. (a) On or before April 1, 1956, each State desiring to avail itself of funds hereunder shall file a statement, and an estimate of the cost as of January 1, 1956, of bringing that portion of the designated interstate mileage within its boundaries up to the standards prescribed under this act. On or before April 1 of each subsequent year, each State shall submit a revised estimate of such cost as of January 1 of such year, including therein the actual or estimated cost of any construction of such mileage begun or carried on subsequent to January 1, 1956.

In subsection (b) the rest is spelled out. Since the question has been raised, I believe it important to read the remainder of the section; and I hope the Senator from Minnesota will note it.

The PRESIDING OFFICER. The time of the Senator from Virginia has expired.

Mr. BUSH. I hope it will be possible for our side to yield some time at this point.

Mr. SMITH of New Jersey. I shall be glad to yield time, Mr. President.

Mr. BUSH. I think our side should yield the Senator from Virginia an additional 10 minutes.

Mr. SMITH of New Jersey. Yes, Mr. President, I yield 10 minutes to the Senator from Virginia.

Mr. BYRD. Yes, Mr. President; if those on the other side of the aisle desire to have extended discussion, they should yield us some of their time.

Mr. SMITH of New Jersey. Mr. President, I have yielded 10 minutes to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 10 minutes.

Mr. BYRD. I thank the Senator from New Jersey; and I continue to yield to the Senator from Connecticut.

Mr. BUSH. I thank the Senator.

Mr. President, I now read subsection (b):

(b) On or before July 1, 1956, and on or before July 1 of each year thereafter, the Secretary shall establish an approved estimate of cost for construction of projects on the interstate system in each State, and the Secretary shall determine the ratio of the approved estimate of cost for each

State to the total of the approved estimates of such cost for all States. After subtracting from the amount determined pursuant to section 204, the estimated total credits under section 207 and estimated total expenses for administrative purposes and research, the Secretary shall apply the ratio for each State to the remaining sum and the resulting amounts shall be the maximum Federal payments to the various States for the purposes of section 206. He shall promptly notify the States of these maximum amounts.

Mr. President, I simply submit that under all the circumstances, that is a definite commitment to the States.

Mr. BYRD. The Senator from Connecticut is speaking of allocations, is he not?

Mr. BUSH. Yes; I am speaking of the distribution of the funds.

Mr. BYRD. I should like to have the Senator from Connecticut turn to page 28.

Mr. BUSH. I will.

Mr. BYRD. I ask the Senator from Connecticut to read the last two lines, as follows:

The allocations made under this act shall not be deemed an apportionment.

It is true they are allocated, but they are not allocated for any particular time for expenditure. They may be spent 7, 8, or even 10 years after the date of the allocation.

Mr. BUSH. But this goes back to the fundamental difference between the concept of the substitute bill and the concept of the Gore bill. The substitute is based on actual needs for the interstate highway system. The Gore bill is not.

Mr. BYRD. Mr. President, the Senator from Connecticut knows—and I am not arguing about the Gore bill especially—that the Gore bill makes a specific apportionment to every State for every year.

Mr. BUSH. Will the Senator from Virginia point to something in the bill which would guarantee to the State of Virginia a specific apportionment for any one year? I cannot do so, because no such apportionment is to be found in the bill.

Mr. BYRD. In the substitute bill there is no guaranty whatever; there is no formula of distribution.

Mr. BUSH. It would be impossible to allocate the funds on the basis of need unless the matter were handled in the way it is handled in the substitute bill. It must be handled in this way.

Mr. BYRD. What is the interpretation of the Senator from Connecticut of the last two lines on page 28, which I read just a moment ago?

Mr. BUSH. But the Gore bill is a measure to distribute dollars. We are proposing to distribute dollars on the basis of the needs of the States for completion of the interstate highway system.

Mr. BYRD. If the roads are to be built, dollars must be distributed.

Mr. BUSH. But the Gore bill will distribute dollars all over the place, even though the money could not be spent for roads.

Mr. BYRD. Let me ask the Senator from Connecticut to state his interpreta-

tion of the last two lines on page 28, which I read a moment ago. I read them again:

The allocations made under this act shall not be deemed an apportionment.

In other words, they are not an apportionment, but are set down on a piece of paper, so that 5 or 10 years from now the money may be spent. But there is no guaranty when it will be spent or that it will be spent.

Mr. BUSH. The apportionments have to be made from time to time, as the work progresses.

Mr. BYRD. Mr. President, I ask my question again. For instance, in this connection let us consider the State of Connecticut. If the Senator from Connecticut wishes to be able to tell his constituents about the effect of the substitute measure, how much money will he be able to say Connecticut will receive next year? Where in the substitute is there a guaranty that Connecticut will get even \$1?

Mr. BUSH. I will say that under the proposed substitute bill Connecticut will get approximately \$540 million over a period of 10 years.

Mr. BYRD. That may be correct. But there is no apportionment or formula for it.

Mr. BUSH. It may be that more miles of road will be built in one year than in another, and the payment made may depend on the nature of the land on which construction occurs. For instance, some land will require a much greater cost per mile than will other land. So the amendment cannot be pinned down to a particular amount in a particular year. There has to be a program, and it must be worked out—just as in the case of a business program.

Mr. BYRD. But is it not proper to say that under the substitute the matter is left entirely to the Secretary, who will determine when the money will be allotted, and how much will be allotted?

Mr. BUSH. I would not say so, because the States will—

Mr. BYRD. Every State in the Union will try to get all of its share the first year.

Mr. THYE. Mr. President, will the Senator from Virginia yield to me?

Mr. BYRD. I yield.

Mr. THYE. As I understand, each State must match the Federal funds.

Mr. BYRD. Not in this case. In this case there will be no matching at all; not a dollar will be provided by the States. This money will be provided solely and completely by the United States Government. That means that the United States Government will completely subsidize the interstate system; and under the substitute bill the Federal Government will be under no obligation to give to a particular State any particular amount on any particular date, or to give any amount at all.

Mr. THYE. Let me say that three national highways cross Minnesota. As I understand, those who will administer this program for the Federal Government might say that they would see fit to improve the southern roads, and they

might wish to postpone construction on the northern routes. In that case, Minnesota would simply sit by, whistling, and hoping to attract the attention of the Federal officials, so as to get them to examine our routes at some time or other. Is that the case?

Mr. BYRD. The State would have to do a good deal of whistling, I presume. It is a considerable distance from Washington.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. BUSH. I do not agree with that statement at all. I think there is no reason to suppose that the Federal Government would try to trick the States out of any money to which they are entitled. The system of apportioning the money is made clear.

The PRESIDING OFFICER. The Chair regrets to announce that the time of the Senator from Virginia has expired.

Mr. SMITH of New Jersey. Mr. President, I yield 10 minutes more to the Senator from Virginia.

Mr. BYRD. I have never said that I thought there would be any trickery. I have said that there is no formula for distribution to the States on an annual basis. I still say that is correct. If I am incorrect, I ask the Senator to point out the part of the substitute which so provides.

Mr. BUSH. I do not say whether the Senator is correct or incorrect on that point. I do not think it makes any difference whether he is correct or incorrect, because I am satisfied that under the language of the Martin bill a fair apportionment of the funds would be made in accordance with the need. That is the fundamental concept of the Clay Committee proposal all the way through. It is on the basis of need.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. CASE of South Dakota. Let me say to the distinguished Senator from Virginia that this issue is one of the outstanding issues involved in the bill. I am glad he is bringing it out. The language which gives sound ground for the fear which the Senator from Virginia has expressed is found on page 18, lines 6 and following, reading as follows:

Except as provided in section 102 (d), the Secretary shall have the final responsibility, after consultation with the States, the Department of Defense, and the Federal Civil Defense Administration, for determining the scheduling and priority of construction of projects, taking into consideration the objective of a uniform rate of accomplishment of construction on the interstate system in all the States and the availability of funds from the Corporation.

In other words, the Secretary shall have the final responsibility for determining the scheduling and the priority of construction of projects. That will give to the Secretary, and whoever speaks for him, complete control over the timing as to when money is released. I have seen that done too many times in the old WPA days, when the scheduling of

the priority of construction of projects was put on a political basis, ever to want to write it into a law.

Mr. BYRD. I entirely agree with the Senator. That is the point I was trying to make. I do not charge that anyone would use trickery. All I say is that there is no formula in the substitute bill for distribution. Since 1916, when the first Federal-aid for roads law was enacted, we have had a formula whereby every State received a given amount every year. I wish to make it clear that the proposed legislation would be permanent. Under this proposal, there would be no recovery of the power over these roads and activities along them which we would give away. It would be permanent.

Following through with the detailed statements of Comptroller General Campbell, I should like to read to the Senate some observations which he made. The Comptroller General is the officer of the Government who represents the Congress. It is his duty to advise us about bills when he is asked to do so, and it is his duty to see that the funds which we appropriate are spent legally and properly. This is what he said when he testified before the Public Works Subcommittee on March 28, 1955:

We feel that the proposed method of financing is objectionable because the result would be that the borrowings would not be included in the public debt obligations of the United States.

While the issuance of the Corporation's bonds would be with the approval of the Secretary of the Treasury, and the obligations would be repaid from the permanent appropriation established by section 105 (c), the obligations would specifically state that they are not obligations of, or guaranteed by, the United States.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. GORE. The Senator has just referred to appropriations. Will the Senator turn to page 8 of Senate bill 1160? I read, beginning with line 16:

There are hereby appropriated—

Would not the Senator call that an appropriation bill?

Mr. BYRD. Yes; and the appropriation would be permanent.

Mr. GORE. It would be not only an appropriation bill for 1 year.

There are hereby appropriated and there shall be paid by the Secretary of the Treasury to the Corporation for the fiscal year 1957, and for each fiscal year thereafter in which there are outstanding unmatured obligations of the Corporation—

So not only are we asked to appropriate an indefinite amount, but we are asked to appropriate an indefinite amount for an indefinite time.

Mr. BYRD. It would be a permanent appropriation during the period covered by the bill.

Comptroller General Campbell said further:

The fact that the bill provides for a permanent appropriation measured by gasoline taxes does not, in our opinion, establish rev-

enues for the Corporation in any normal use of the term.

The gasoline taxes are revenues of the Treasury and go into the general fund of the Treasury. The appropriation provided would come out of the general fund of the Treasury exactly as most of the appropriations made by Congress.

Here is an appropriation which has not been considered by the Appropriations Committee of either branch of Congress.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. CASE of South Dakota. Not only is this an appropriation bill which has not been considered by the Appropriations Committee of either branch of Congress, but it would take out of the hands of the Appropriations Committees certain revenues for a period of 30 years.

Mr. BYRD. The Senator is correct.

Mr. President, in order to save time, I ask unanimous consent to have printed in the Record at this point as a part of my remarks the complete statement of the Comptroller General, Mr. Campbell.

There being no objection, the statement was ordered to be printed in the Record, as follows:

We feel that the proposed method of financing is objectionable because the result would be that the borrowings would not be included in the public debt obligations of the United States.

While the issuance of the Corporation's bonds would be with the approval of the Secretary of the Treasury and the obligations would be repaid from the permanent appropriation established by section 105 (c), the obligations would specifically state that they are not obligations of, or guaranteed by, the United States.

However, the legislation provides that the Secretary of the Treasury may advance to the Corporation in any fiscal year an amount not in excess of the estimated appropriation for that year and, in addition, the Corporation would be authorized to borrow from the Secretary of the Treasury not to exceed \$5 billion outstanding at any one time.

Both of these provisions coupled with the permanent appropriation would apparently be to assure the investors of ability to meet obligations, and tend to have the effect of a Government guaranty of the highway obligations, at least in the minds of the investing public.

As a practical matter, the obligations would be moral and equitable obligations of the United States, since they would be issued by a Corporation entirely owned by the Government.

While the obligations would specifically provide that they are not guaranteed by the Government, it is highly improbable that the Congress could allow such obligations to go in default when one considers that credit standing of the Federal Government would be involved.

In addition, the Corporation's activities would not be self-sustaining. It would have no substantial revenues, and funds for paying off the obligations would come from the general fund of the Treasury. The funds available would be measured by future anticipated increases in collections of taxes on gasoline and special fuels.

The fact that the bill provides for a permanent appropriation measured by gasoline taxes does not, in our opinion, establish revenues for the Corporation in any normal use of the term.

The gasoline taxes are revenues of the Treasury and go into the general fund of

the Treasury. The appropriation provided would come out of the general fund of the Treasury exactly as most of the appropriations made by Congress.

The total amount of borrowings by the Corporation would amount to the very substantial sum of \$21 billion and, in our opinion, would be borrowings of the United States Government, irrespective of the terminology applied. It seems only right that such obligations should be considered, classified, and disclosed as a part of the total borrowings of the Government; that is the public debt.

It is our opinion that the Government should not enter into financing arrangements which might have the effect of obscuring the financial facts of the Government's debt position. We believe that the highway program—since it, in reality, is non-revenue producing—should be financed by appropriations made by the Congress.

If, to provide these funds, it is necessary to borrow from the general public, we believe that the borrowings should be handled under the existing authority of the Secretary of the Treasury under the Second Liberty Bond Act, as amended.

This is a normal function of the Treasury Department, and in carrying out his assigned fiscal and debt management responsibilities, we do not feel that the effectiveness of the Secretary of the Treasury should be weakened by authorizing other Government agencies to borrow directly from the investing public.

Also, under the procedure we recommend, any borrowings necessary to fund the appropriations approved by the Congress would automatically be treated and disclosed as a part of the public debt of the Federal Government. In making this recommendation, we recognize that a borrowing operation of this magnitude may require changes in the existing statutory public debt ceiling.

Also if the direct appropriation method is used to finance the highway construction, the Congress would be in a position to make an annual review of the progress and changing needs of the road program because money to carry it out would have to be specifically appropriated by the Congress each year.

In addition to reviewing the actual needs of the program, the Congress could also consider whether, from an overall picture of revenues and expenditures of the Government, the full amount authorized for highway construction should be spent in a particular year.

In the event a Federal Highway Corporation is created, the Congress would, to some degree, lose its control over the program. The Corporation would submit annual budgets to Congress under the provisions of the Government Corporation Control Act, but only funds for administrative and operating expenses would be approved by the Congress. The program funds would continue to be available unless the Congress took affirmative action to limit the program expenditures.

I think most of you are aware of the position of the General Accounting Office with respect to Government corporations. We are opposed to the creation of new Government corporations, unless for the most compelling reasons or overriding public necessity.

The corporate form of Government activity is objectionable because, for the most part, it is free from the normal safeguards set up by the Congress to maintain adequate control over the conduct of public business and the expenditure of public funds.

Mr. BYRD. In addition to the foregoing statements made by the Comptroller General, he went to the trouble of making specific, definite recommendations to the committee for safeguarding the situation.

On March 28, when he testified, he further said:

In the event the subcommittee is to favorably act on S. 1160, we recommend that several provisions of the bill be considered for amendment:

1. Consideration should be given as to whether the powers of the Corporation are too broad. We would recommend that the legislation be more restrictive as to the functions and duties the Corporation is to perform. Also, consideration should be given to limiting the life of the Corporation to a definite date.

2. Section 105 (d) is contrary to many of the existing statutory restrictions on the investment of trust funds. For example, the unemployment trust fund can only be invested in interest-bearing obligations of the United States, or in obligations guaranteed as to both principal and interest by the United States.

If the purpose of section 105 (d) is to permit investment of these and other trust moneys in bonds of the Federal Highway Corporation, existing statutory restrictions on the investment of trust funds should be declared inapplicable to avoid any possible conflict.

3. Section 203 dealing with right-of-way acquisitions should be clarified as to the source of funds for payment of the property acquired. The section provides that the Federal Government will pay 95 percent of the appraised value or the actual cost, whichever is lower, but the section is silent as to who pays the additional 5 percent.

It is assumed that the 5 percent will be paid by the State. We think the section should so provide and also make it clear as to whether the State advances the 5 percent to the Federal Government prior to the payment for the property, or whether the Federal Government may pay 100 percent and then be reimbursed by the State for 5 percent.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. JOHNSON of Texas. Who is this speaking? Is it the Comptroller General of the United States?

Mr. BYRD. Yes. He says that this proposal would change the law regarding the investment of the unemployment trust fund, for which the United States Government acts as guardian. The substitute amendment would change the law so as to make the fund available for purchase of highway corporation bonds, which the bill says are not an obligation or debt of the United States Government.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. BUSH. I should like to ask the Senator if his views on that question would change, or if his attitude toward the Martin bill would be modified, if it were amended so that the language respecting the guaranty by the Federal Government, or the lack of it, were changed to read as follows:

The Corporation shall insert appropriate language in all of its obligations issued under this subsection clearly indicating that the obligations, together with the interest thereon, are guaranteed by the United States Government.

Mr. BYRD. If the fund did not go through the budget, would it be regarded as a deficit or not?

Mr. BUSH. It would not.

Mr. BYRD. All the Senator is seeking to do is trying, by putting words in the bill, to say that it is a debt when it does not go through the budget, and is not included in the deficit.

Mr. BUSH. The only purpose of keeping it out of the budget is to keep the fund on a self-liquidating basis, and to provide a sinking fund for the retirement of the debt.

Mr. BYRD. Those who advocated the proposal in the original instance did not want the amount to be regarded as a deficit or as being paid out of the Treasury. They wanted to have the money come to the corporation, and not go through the regular books of the Treasury or the budget.

With all due respect to the distinguished Senator, his suggested amendment—I will not use the word "substitute," because it is not quite that—would create a debt without creating a deficit.

Mr. BUSH. Let me say to the Senator that the whole purpose of the corporation device, in my judgment, and the only real excuse for it, is to take the revenue which comes from the increased use of highways and segregate it into a sinking fund with which to retire the debt. That is the only purpose.

Therefore I think the Senator is correct about the full faith and credit of the United States. I am disposed to agree with him, which I had not done at first. I think the United States should guarantee these bonds, and remove all doubt, if there is any doubt, as to whether they are actual obligations and a debt of the United States, but I believe the corporate device should be kept so as to liquidate the debt.

Mr. THYE. Mr. President, will the Senator from Virginia yield in order that I may ask a question at this point?

Mr. BYRD. I yield.

Mr. THYE. Is it not true that if a purchaser is to be induced to buy the bond, unless it is guaranteed by the Government, the interest rate on the bond would have to be made so attractive that the investor would be induced to buy the bond. In other words, unless the bond was guaranteed by the Government, the interest rate would have to be attractive enough to induce a purchaser to buy the bond.

The PRESIDING OFFICER (Mr. McNAMARA in the chair). The Chair regretfully states that the time of the Senator from Virginia has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 5 additional minutes to the Senator from Virginia.

Mr. THYE. I should like to have a reply to my question.

Mr. BUSH. I shall be glad to give my reply to the Senator's question.

Mr. BYRD. The Senator from Connecticut may give his reply first; and then I will give my reply.

Mr. BUSH. I say to the Senator from Minnesota that when the Secretary of the Treasury appeared before the committee he testified that the corporation bonds, as provided for originally in the substitute bill, and, as it now reads, would carry an interest rate one-eighth to one-half percent over and above the inter-

est rate on similar long-term Treasury bonds fully guaranteed by the United States.

Mr. THYE. I should like to ask the Senator from Connecticut, if he were a banker and was making an investment for his bank, whether he would buy bonds on which the interest rate was a quarter or an eighth of 1 percent higher than on bonds guaranteed by the Federal Government? Would he advise his board and his investment agent in the bank to buy that kind of security if it did not carry a Federal guarantee?

Mr. BUSH. I will say to my friend from Minnesota that that is an academic question, because I would not advise a bank to buy any long-term bonds anyway. I intend in due course to offer an amendment which will make these bond obligations guaranteed by the United States.

Mr. BYRD. As I understand the amendment now proposed by the Senator from Connecticut, it has nothing to do with expenditure of the funds. In other words, they would not be subject to budgetary or appropriation procedure, and would not be regarded as deficit financing. Why should they not be considered like any other funds?

Mr. THYE. Am I correct in saying that no investor would buy the bond unless it carried a Government guarantee, or unless the interest rate was so attractive that a purchaser would buy it on that basis? Therefore I see the danger of an excessive interest rate being imposed upon what we might term the average user of the highway in order to retire the bonds.

Mr. BYRD. The Senator has ably stated the situation.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. CASE of South Dakota. If we should adopt the amendment which the Senator from Connecticut says he will offer later, under which the bonds would be guaranteed by the United States, how could they be excluded from inclusion in the national debt? Would they not then be part of the national debt?

Mr. BYRD. The debt limit is fixed by statute which excludes certain obligations. I should hesitate to pass hasty judgment on the question as to whether the suggested amendment would subject these bonds to the limitation.

Mr. BUSH. In other words, the Senator means—

Mr. BYRD. I am not certain that guaranteeing these bonds would automatically subject this debt to the statutory limit.

Mr. CASE of South Dakota. They would not under the language of the substitute bill, but if we were to modify the bill to that extent, they would, as I understand.

Mr. BUSH. My feeling is that bonds fully guaranteed by the United States, which my amendment would make them, would become a part of the Federal debt and be subject to the debt limitation provisions.

Mr. BYRD. If they should be subject to the ceiling it would be necessary to

amend the Liberty Loan Act and to raise the Federal debt limit so as to provide for this program.

Mr. BUSH. It is a moot question whether it would be necessary to raise the debt limit. That would depend on a great many other factors.

Mr. BYRD. We will discuss the debt limit a little later.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. MARTIN of Pennsylvania. There is no question that the \$7½ billion deficit under the Gore bill would be added to the public debt, is there?

Mr. BYRD. That is another question, which is not concerned with the pending amendment.

Mr. CASE of South Dakota. It seems to me to be very odd, at least, to say that the bonds shall be guaranteed by the United States but shall not be included in the national debt.

Mr. BUSH. They would be included in the debt.

Mr. CASE of South Dakota. Why should they not be subject to the debt limit?

Mr. BUSH. I said they should be.

Mr. BYRD. If they are, we had better appropriate the funds and let the Treasury borrow the money for less interest, call it deficit spending and keep the Government's records straight. Is the Senator from Connecticut willing to put this program on a deficit and debt basis?

Mr. BUSH. It is not a question of whether I am willing to have it done.

Mr. BYRD. Does the amendment now proposed by the Senator from Connecticut make the bonds of this corporation a Federal debt under the statutory limit?

Mr. BUSH. I do not believe they should be, but I am perfectly willing that they be. I do not believe it is necessary.

Mr. BYRD. Mr. President, I believe we should have 5 minutes yielded to us by the other side.

Mr. SMITH of New Jersey. I yield an additional 5 minutes to the Senator from Virginia.

Mr. BYRD. The Senator from Connecticut is offering an amendment which apparently indicates that he needs to strengthen his position. The substitute measure has been before Congress for 3 or 4 months, and up to this time the bonds for which it provides have not been regarded as being a debt or coming under the debt limit, but all of a sudden we have a change made in that regard.

Mr. BUSH. Several amendments were offered to the Gore bill today, too.

Mr. BYRD. But nothing so fundamental as this amendment.

Mr. BUSH. It is a matter of opinion as to what is fundamental and what is not fundamental.

Mr. BYRD. I still say when bonds go through the books of the Treasury and when we spend \$2½ billion a year of receipts, the bonds should be regarded as a deficit. That is the only honest procedure.

Mr. BUSH. I am perfectly willing to have them regarded as a deficit, if the Government requires it to be done that way.

Mr. BYRD. We would have to abolish the corporation if we did that.

Mr. BUSH. If a corporation is created and the money is segregated and goes into a sinking fund, a question is raised whether that money goes into the income account of the Government. I do not think it does.

Mr. BYRD. The substitute would have to be amended in a dozen particulars. All through it provision is made for the money to go to the Corporation.

Mr. BUSH. That is correct.

Mr. BYRD. It stays there. Congress loses all control over it.

Mr. BUSH. That is correct.

Mr. BYRD. The corporation could do with that money what it pleased.

Mr. BUSH. The borrowed money would be used to build the roads, and the income would be used to pay off the debt. That is right.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. GEORGE. Is not the substitute bill predicated upon the theory of a double budget system?

Mr. BYRD. That is correct.

Mr. GEORGE. Under which an item appears as a liability but does not go through the Treasury's books and does not enter the conduct of its fiscal affairs. Is that correct?

Mr. BYRD. That is correct.

Mr. GEORGE. I have always mistrusted such a system. I compliment the Senator from Virginia on his very clear exposition of the situation. When we embark on a double budget system we take a step along a road that does not ever return to fiscal or financial responsibility on the part of the Government.

Mr. BYRD. The Senator has admirably stated the situation.

In order to conclude without further delay, I ask unanimous consent that the remainder of my remarks be included in the Record at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The remainder of Mr. BYRD's remarks are as follows:

None of these recommendations has been incorporated in the substitute now before the Senate.

The Comptroller General had good reason to bring up the question of rights-of-way. No one will seriously deny that the Federal Government through this synthetic corporation could exercise virtually supreme power over the construction, operation, and other activities connected with, and related to, the 40,000 miles of interstate roads.

I have spent a large part of my life working for sound expansion of highways. I fully recognize the need for highway improvement to meet the impact of the new traffic. In opposing the substitute bill (S. 1160) I am still engaged in that objective.

During 10 years in the Virginia State Senate, I became chairman of the roads committee. I was a patron of the legislation establishing Virginia's first State highway system and I introduced in 1923 the bill for a 3-cent gasoline tax—at that time the highest imposed by any State—to build and pay for good roads. That was 40 years ago.

As Governor, my administration was dedicated to improvement of our road system. Virginia is 1 of 4 States in the Union which constructs and maintains a statewide high-

way system with no expense to the localities. According to Federal records, the State highway system of Virginia since 1835. Our State of State roads, more than 93 percent of them surfaced.

For these roads we have paid as we progressed. There hasn't been a State highway bond issue in Virginia since 1835. Our State gas tax is 6 cents and our license tax is \$10 a year. I shall always support sound pay-as-you-go road improvement plans.

Governors of the States frequently have requested, if not demanded, repeal of the 2-cent Federal gasoline tax. This would be one way greatly to promote the road program. Should it be repealed, and should we continue the 1955 Federal highway authorization of \$575 million a year for the period of this proposed program, far more money would be available for road improvement than this bill would produce.

I doubt if there is a State in the Union which does not stand ready to reimpose the 2-cent tax if it should be repealed by the Federal Government.

Personally, I suggest road improvement through the combination of the following three methods:

1. Repeal of the 2-cent Federal gasoline tax so it may be reimposed by the States.

On an average of \$1.6 billion a year, this would yield \$52 billion for expenditure by the States in the 32-year period ending in 1957. States and localities, for all road purposes, currently are spending approximately \$6.5 billion a year out of their own revenue exclusive of Federal aid. Assuming continuation of this annual rate, in the next 32 years they would spend \$208 billion for roads, exclusive of expenditures from the reimposed 2-cent gas tax, and this does not take into account the normal increase in traffic. If the \$52 billion of additional revenue from the reimposed Federal tax were added, minimum State and local expenditures for roads in the next 32 years would total \$260 billion.

2. Continuation of present Federal aid to primary, secondary, and urban road systems, currently at the rate of \$575 million a year authorization. This Federal aid, for many years, has been integrated with State programs on these systems. Over the 32-year period this would total \$18.4 billion. This, added to the \$208 billion of State and local funds and the \$52 billion from the reimposed Federal gas taxes, would total \$278.4 billion.

3. Judicious employment of toll roads, financed from toll revenue, in congested areas on a scale equal to if not greater than at present. This would provide for the more costly sections of our highway system, and it could be done under State authority.

Under such a plan States could retain as much control over their roads as they have had in the past; \$11.5 billion interest would be saved for additional road construction; and road revenue would be evenly distributed over future years to keep highways modernized to meet changing conditions.

Mr. KNOWLAND. Mr. President, I yield 15 minutes to the Senator from Connecticut [Mr. BUSH].

Mr. BUSH. First, I should like to send to the desk an amendment which I shall call up later.

The PRESIDING OFFICER. The amendment will be received and will lie on the table.

Mr. BUSH. In view of the remarks of the eminent Senator from Virginia, I should like to read the amendment, as follows:

On page 8 of the amendment, line 10, beginning with the word "The", strike out all down to and including the period in line 16, and insert in lieu thereof the following: "The Corporation shall insert appropriate

language in all of its obligations issued under this subsection clearly indicating that the obligations, together with the interest thereon, are guaranteed by the United States."

If the Senate were to adopt the amendment I believe we would remove all question and controversy respecting the validity of the bonds, and whether they were an obligation or a debt of the United States. I have felt right along that that was an academic question, because this is a Federal project. It is a United States corporation that is proposed to be created—a Federal highway corporation. It makes no difference whether the bonds are guaranteed, or how much it is said they are not guaranteed. My own deliberations lead me to believe that the United States could not afford to let these bonds go into default. It would be a reflection on the credit of the United States to such an extent that there can be no real argument about it.

I submit that there is no intent in the pending amendment to deceive anyone. There is no deception involved in it. The Senator from Georgia, whom I regard very highly, as I do the distinguished Senator from Virginia, has spoken of a double budget. I find it very difficult to take issue with my friend from Virginia on this matter. But there is some unhappy connotations about the words "double budget."

There is no use denying the fact that the amendment establishes a corporation, a separate organization, to accomplish a purpose. It is to create an interstate highway system based on the needs of the Nation, based on the needs of civil defense, for which a very strong case was made before the committee, based on the needs of interstate commerce, in view of the very large increase in the number of automobiles and trucks throughout the country, and based on safety. We need high-speed, controlled access roads to connect the capitals of our States and the principal centers of population in the great industrial areas, and we need them very rapidly. That has been testified to by practically all witnesses.

The Senator from Virginia says that this device has never before been used, and he raises the question with which Secretary Humphrey dealt, as to the bonds being a debt, but not an obligation of the United States.

Mr. President, I think my amendment, if adopted, would remove any objection in that particular area. This is not a new device. Other Federal corporations have been established. The Federal Government does guarantee their obligations to the extent of almost \$150 billion. There is nothing brand-new about that. The thing which is new about it and the thing which is good about it is that it does provide for a debt which is going to be self-liquidating, and it provides for an asset which is going to produce revenues to liquidate the debt. If that is not sound business, I do not know what is sound business. Any enterprise with an opportunity to borrow money under such circumstances would pay off. That is the way the copper companies in

the West have developed, and the way many other companies have developed.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator from Connecticut yield?

Mr. BUSH. I yield.

Mr. MARTIN of Pennsylvania. Is it not true that the great railroad systems which have connected the East with the Far West were largely built from money they borrowed, but they had the revenues with which to retire the bonds?

Mr. BUSH. There is no question about that. It also applies to other great industrial borrowers. There is nothing new in the principle of pledging revenues. It may be that it is new for the United States Government, but various States, including the State of Virginia, my State, and other States, have pledged revenues for the purpose of securing bonds. It is a very sound method of financing, particularly in connection with roads.

Mr. BYRD. Mr. President, will the Senator from Connecticut yield at that point?

Mr. BUSH. I yield.

Mr. BYRD. We have no right or power in the State of Virginia, under our constitution, to do that. The roads are operated on the toll revenues. There is no guaranty whatever on the part of the State.

Mr. BUSH. I think it is a very sound procedure to borrow money and secure it with revenues.

Mr. BYRD. It is done by a turnpike authority, without any guaranty by the State.

Mr. BUSH. I do not think that changes my point, so far as the principle is concerned.

Mr. BYRD. The principle is that the investor is likely to call for payment of the bonds. The bonds are issued based on the receipts.

Mr. BUSH. That may be because the State has no constitutional authority in regard to it, but other States which do have constitutional authority have done the same thing under their State highway authorities. It has worked out very well indeed. We borrow money to construct a producing asset. The Senator from Oklahoma [Mr. KERR] is familiar with that procedure, I am sure.

Mr. BYRD. The Government corporation proposed in the substitute amendment does not have a dollar of revenue or of assets.

Mr. BUSH. It does not have anything now, but when the bill is signed by the President it will have two very important assets. One will be a call upon the Treasury, and it will also have what is set aside for it from the gasoline tax. That is a very important asset; in fact, so good that it should retire the entire bond issue over a period of 30 years.

Mr. THYE. Mr. President, will the Senator from Connecticut yield?

Mr. BUSH. If I have sufficient time I shall be glad to yield later.

There is nothing new in this proposition except insofar as the Federal Government is concerned. It has been tested on the State level, and, therefore, it is perfectly proper for the Federal Government—

Mr. BYRD. Mr. President, it has never been tested on the State level. No corporation of this kind has ever been formed by any State in the Union. Other corporations have income from toll revenues. If these bonds were based upon toll revenues there would not be any serious objection to the Federal Government guaranteeing them.

Mr. BUSH. I would say that I think the Senator's point represents a distinction without a basic difference. I think income from tax revenue is just as good income, just as measurable, as is income from prospective toll revenues. One is taken at the gate and the other is taken from the gasoline tax. There is no particular difference in principle. There is in fact, but not in principle.

Mr. BYRD. The money goes to the Federal Government. It is general revenue. In the case of toll revenue it goes directly to the company. The Senator is speaking of taking general revenue taxes which have been coming into the Treasury for many years and dedicating them to a specific purpose. We cannot obligate future Congresses in a matter of that kind.

Mr. BUSH. The revenue which comes from taxes in excess of \$622 million goes into the corporation.

Mr. BYRD. All of the Federal gasoline tax goes into the general fund of the Treasury of the United States and is spent pursuant to regular appropriations.

Mr. BUSH. In this instance it would be used in part for the benefit of the corporation.

Mr. BYRD. We cannot compare that with toll charges the revenue from which goes to the toll authorities.

Mr. BUSH. I say, again, it is comparable in principle. We have here a distinction without a fundamental difference.

Mr. THYE. Mr. President, will the Senator from Connecticut yield?

Mr. BUSH. I yield.

Mr. THYE. Am I correct in assuming that the State of Minnesota would not receive 1 cent of Federal assistance in connection with its road construction in the future; that the only way it could have any assistance would be if and when the Secretary of Commerce or his agent should say, "Now we are ready to expend some Federal funds in the State of Minnesota?"

Mr. BUSH. I think that would be a very dangerous assumption. Subparagraph (b) of section 206, on page 18, line 14, reads, in part, as follows:

The Secretary shall make allocations to the States in the amounts of the approved estimates, and the Secretary shall promptly notify the States of the approved construction programs and of the amounts so allocated.

Mr. THYE. However, that would be entirely at the discretion of whoever the agent of the Commerce Department was. There is nothing mandatory that Minnesota should receive \$1 million, \$10 million, or \$30 million in the next 5 years. There is no allocation or earmarking of funds. Minnesota would have to come, with tin cup in hand, and ask, "Won't you please recognize us?"

Mr. BUSH. On that I do not agree with the Senator.

Mr. THYE. I cannot see anything in the substitute which would indicate anything else.

Mr. BUSH. I have just read to the Senator the language of the amendment.

Mr. THYE. It is left to the discretion of one person as to when and how he will allocate funds, to Minnesota for example.

Mr. BUSH. The Senator must keep in mind the basic difference between the Martin bill and the highway bills we have dealt with heretofore. The funds in the substitute bill now before the Senate are to be allocated on the basis of needs, and the States will have to agree with the Federal Government as to what the needs are to build an interstate highway system. What we are proposing to allocate for is an interstate highway system, nothing else. I do not think those who will represent Minnesota in these matters will be unable to work effectively in these matters, as they have in similar instances in the past. The Bureau of Public Roads has always been a good bureau.

Mr. THYE. The Bureau of Public Roads, however, is not the agent which will have, as it now has, the authority to allocate to the States on a matching basis. In this particular instance, a corporation would be established in and under the jurisdiction of the Department of Commerce, and it would have the authority to say where, in its judgment, a so-called national highway should be constructed.

Mr. BUSH. No; there would have to be an agreement with the States, based on the needs of the interstate system. It would be by agreement.

Mr. THYE. Minnesota is in the northern tier of States, and we are a little afraid—

Mr. BUSH. I do not think the Senator's State has anything to be afraid of.

Mr. KERR. Mr. President, will the Senator yield?

Mr. BUSH. I yield.

Mr. KERR. If the Senator from Connecticut is correct in his belief that a State can receive funds when they are allocated, will he tell me the meaning of the language in the amendment in the nature of a substitute which provides that allocations made under it shall not be deemed to be an apportionment? Why was that put in the substitute bill if, as the Senator has indicated, the funds would be deemed to be an apportionment?

Mr. BUSH. The Senator is speaking about apportionment as it is customarily used in highway bills, when 45 percent, 35 percent, or 25 percent is the apportionment. That is the way funds have been apportioned in the past.

But that is not the way the money for the interstate system will be spent. It will be apportioned on the basis of need, regardless of what the cost is. This is not a bill to divide dollars; it is a bill to construct a highway system.

Mr. KERR. That has to be done with dollars.

Mr. BUSH. That is correct.

Mr. KERR. The Senator knows that there must be an apportionment before the funds can be allocated to a State.

The PRESIDING OFFICER. The time of the Senator from Connecticut has expired.

Mr. KNOWLAND. Mr. President, I yield 5 additional minutes to the Senator from Connecticut.

Mr. BUSH. I call the Senator's attention to the difference between the amendment in the nature of a substitute and the so-called Gore bill. Every Member has on his desk the estimated distribution of funds under the Gore bill. By looking at the apportionments, it can be seen that the Federal share for a 5-year period is one-half of the interstate system needs for 10 years.

Take, for example, the State of Oklahoma. Under the Gore bill, the Senator's State would receive \$178 million. Actually, the need for the interstate system is \$140 million, so Oklahoma would get more than it needed.

There are 18 States which would get more than they needed.

Under the Gore bill, there would be many millions of dollars unspent, and unable to be spent, because of the system of apportionment about which the Senator is speaking.

I submit that under the administration bill the funds will be spent on the basis of need: How much of the interstate system does a State have? How much will it cost to build? On that basis, the State will receive what it needs.

Mr. KERR. Mr. President, will the Senator yield for a question?

Mr. BUSH. I yield.

Mr. KERR. First, I wish to thank the Senator for making this so-called blunderbuss a part of the RECORD.

Mr. BUSH. I thank the Senator for his appreciation.

Mr. KERR. I find here a column headed "Estimated 5-Year Needs." I ask the Senator to indicate to the Members of the Senate a single provision in the substitute bill which would give their respective States the amounts designated in the column, or any amount, during any given year.

Mr. BUSH. I may simply say to the Senator that I read that once for the RECORD. I read it from the amendment. Does the Senator want me to take time to read it again?

Mr. KERR. I would urgently request—

Mr. BUSH. To simplify the matter, I will call the Senator's attention to page 16 of the amendment in the nature of a substitute, sections 204 and 205. I think the Senator will find his answer in that language.

Mr. KERR. Will the Senator from Connecticut show me the language which would give Oklahoma any amount of dollars in a given year, or any other State a single dollar in a given year?

Mr. BUSH. Neither the great State of Oklahoma nor any other State is specifically mentioned in the bill.

Mr. KERR. The Senator from Oklahoma thinks that Oklahoma ought to be in the bill, because he is against any plan which does not include Oklahoma.

Mr. BUSH. The Senator from Oklahoma says he does not believe in the theory of the interstate system.

Mr. KERR. Quite to the contrary. The Senator from Oklahoma believes in the theory of the interstate system. He believes there should be a program under which each State will be in the interstate system beginning in the first year of its operation and continuing throughout its existence.

If the Senator from Connecticut can assure me or any other Senator that our States will be "in on the money" for the interstate system during any specific year, I will be grateful for the assurance.

Mr. BUSH. I think that under the language of the amendment the State of Oklahoma certainly will be taken care of to the extent of its needs, which over a period of 10 years would approximate \$360 million for the interstate highway system.

Mr. KERR. The Senator from Connecticut thinks that, but he cannot show any language in the bill that would guarantee it, can he?

Mr. BUSH. I think the language is sufficient to assure that result.

Mr. KERR. I thank the Senator.

Mr. BUSH. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The time of the Senator from Connecticut has expired.

Mr. KNOWLAND. Mr. President, I yield 3 minutes to the distinguished junior Senator from California.

Mr. KUCHEL. Mr. President, I cannot, for the life of me, understand how any Senator or any Member of the House can quarrel with the recommendations of the Clay Committee, which provide a means by which, in the next decade, the interstate highway system throughout the United States will be made modern and efficient.

I listened to General Clay before the Senate Committee on Public Works, when he demonstrated conclusively that a modern, efficient, 40,000-mile system of highways throughout the 48 States would serve the needs of military defense, civil defense, and the economy of American society; and, beyond that, would go a long way toward eliminating the frightful and appalling toll of casualties which almost daily occurs along the highways of America.

If we grant, as I believe the American people do, that these constitute valid reasons for adopting the recommendations made by a Presidential commission, then there is only one manner whereby the funds may be immediately raised and allocated to the several States in order to do the job. In my judgment, an emergency situation confronts the Government and the people with respect to this problem. It can be solved only by the means suggested in the Clay report. It can be solved only by Congress creating an agency and permitting it to issue revenue bonds, which would be paid from the excise taxes on gasoline and oil over the next 30 years.

Twenty-six States originally informed the Subcommittee on Public Roads that they would be unable to meet the larger requirements of the committee bill. A

week ago last Monday, in San Francisco, representatives of 11 Western States said that they could not meet the requirements of the committee bill, as it is before the Senate today.

The single State which said it could was California, but California joined with the other 10 in urging Congress to adopt the recommendations of the Clay report, as they are generally enunciated in the substitute amendment offered by the Senator from Pennsylvania and the Senator from Connecticut.

There have been some recommendations by the minority membership of the committee with which I find myself in disagreement, but it seems to me that no one can quarrel with the desire of immediately accepting the need of a 40,000-mile system of modern and efficient highways across the Nation, and, on the basis of an emergency, adopt the recommendations which provide the one, single method by which the moneys may now be raised and expended to the beneficial use of the people of the United States.

For that reason, Mr. President, I shall support the substitute proposal, and I seriously urge my brethren on both sides of the aisle to do likewise.

Mr. KNOWLAND. Mr. President, I yield 3 minutes to the distinguished Senator from New Jersey [Mr. CASE].

Mr. CASE of New Jersey. Mr. President, as a freshman Member of the Senate, I have been intrigued during the current deliberation by some of the statements which have been made about the administration's highway plan. At times it seemed that some of our Democratic colleagues had switched places with us. Vivid in my mind are the charges, from our recent political campaign, of Republican indifference to change and our unreasonable insistence on States rights in a modern world. Thus it is with a degree of wonder that I now hear that it is the Republicans who are being called visionary, unconcerned about the public debt, overzealous in our desire for massive public works to meet the public needs, and indifferent to the rights of the States. In short, Mr. President, the administration plan goes too far for some of our friends across the aisle.

There are compelling reasons why I intend to vote for the Martin substitute as a preferred alternate to the Gore bill. Although my discussion will center largely about my own State's role in the highway program, this is only because this RECORD already carries expert testimony as to why the national interest, including the interest of our national defense, calls for enactment of the Martin substitute. These arguments have been tellingly made by the Senators from Pennsylvania, Connecticut, and New Hampshire, among others.

Mr. President, New Jersey has estimated interstate highway system needs among the largest in the Nation, exceeded only by those of California and Ohio. Yet, under the provisions of the Gore bill New Jersey would receive, in relation to these needs, the smallest percentage of apportionment in the Nation. For New Jersey the Gore bill would pro-

vide in 5 years only 12 percent of the funds needed to provide an adequate interstate system.

New Jersey needs an interstate system estimated at \$1,357 million in a 10-year period. This is 6 percent of the national total. The Gore bill would give New Jersey only one-eighth of the amount needed to meet these needs. Governor Meyner, of New Jersey, has recognized the merits of an expanded interstate program which can finish the job. Due credit goes to the Governor, who has recommended enactment of the Clay Committee proposal. He sees it the administration's way on this occasion.

At last report, Governor Meyner was still very much a Democrat. Mr. Dwight Palmer, his highway commissioner, is also a Democrat, sufficiently so that he consented to be Treasurer of the Democratic National Committee when Mr. Truman occupied the White House. Both Mr. Meyner and Mr. Palmer have adopted a wholly creditable nonpolitical stand. I say this, Mr. President, only to point out that New Jersey is united on this issue.

While New Jersey and 30 other of the States, including the District of Columbia, would receive less funds than required under the Gore bill to meet their interstate system needs, 18 others would be receiving more than required to meet their needs. In several of these States the amount of this excess apportionment over needs is sufficiently large that even should the maximum of transfer to other systems be effected as permitted under the bill, some funds would still be left over which could in no possible way be used by any State, and these funds would thus be lost to the highway program anywhere. The effect of transferring these excess interstate system funds available in some States to other systems—say to the secondary system—would mean that interstate system needs in New Jersey would be unsatisfied at the expense of constructing more than the average need for secondary roads in some other States. Actually then, the Gore bill provides an "unbalanced" program instead of a "balanced" one as claimed by its sponsors.

Computing the apportionment under the Gore bill another way, New Jersey would not be able to complete her portion of the interstate system before the year 1998, even assuming that apportionments would be maintained after the 5-year life of the bill at the maximum rate authorized in the bill. While New Jersey's needs would go unsatisfied during this period, other States would have received apportionments sufficient to complete the interstate system within their borders ahead of all other States in the Nation, estimated, for example, within the next 4 to 5 years.

This is obviously a faulty distribution formula, which permits completion of some of the lightest traveled sections of the interstate system in 5 years, while the heaviest traveled sections on which the largest gasoline tax payments are made by users remain incomplete for more than 40 years.

In contrast, the distribution formula proposed in the amendment to the bill,

offered by the Senator from Pennsylvania [Mr. MARTIN], would provide a distribution of available funds in exact relation to needs in all the States, so that there would be no "dead money," no use of vital interstate system funds to build secondary roads through transfers in some States at the expense of other States, and no unreasonably slow improvement in one State while improvements are made much earlier in another. The whole system would go ahead on a uniform basis, with assurance that it would all be completed within 10 years, rather than 40 years or more. The Martin amendment contains a formula based on needs in each State in relation to the total national needs. Such a formula comes as close to providing perfect distribution of available funds as the accuracy of the estimates will permit, and results in the most efficient use of available funds State by State.

Because New Jersey is a corridor State, with virtually all traffic up and down the middle Atlantic seaboard area of several States passing through New Jersey on the interstate system, the needs of New Jersey arise largely from through or interstate traffic rather than from travel of New Jerseyans alone. The problem, therefore, is one of national rather than purely local concern. We cannot build a national interstate system by dividing that system into 49 individual packages bounded by State lines, as would be the result under the Gore formula. It does this, unfortunately, while using the national gasoline taxes without regard to their application to national interests.

New Jersey is not the only State adversely affected by the operation of this formula. In fact, 31 of the 48 States and the District of Columbia are so affected. The others are Alabama, Arizona, California, Connecticut, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Mexico, New York, Ohio, Oklahoma, Oregon, Rhode Island, Tennessee, Utah, Vermont, Virginia, Washington, West Virginia, Wyoming, and the District of Columbia.

Under the Gore bill, New Jersey would receive in 5 years \$249.5 million of Federal funds, provided it matched this sum with \$99.1 million of State funds. This would apply to all systems, interstate and otherwise. Under S. 1160, or the Martin substitute, New Jersey would receive \$709.5 million of Federal funds in 5 years, with only \$56 million of State funds required as matching amounts. All this applies to the interstate system only.

An important weakness of the Gore bill insofar as New Jersey is concerned, is the fact that there is no provision for insuring that the interstate system will be completed even if it is now begun under this legislation, since it provides or only 5-year programing of the job to be done. The States therefore cannot properly plan their development of the interstate system, because they do not know whether or when any further funds will be made available. Obviously they would use such funds to do the most urgently needed spot-type work rather

than developing an entire route, with the result that there would be created, not a smooth flowing system, but instead a patchwork of improved projects alternating with substandard sections in between, with a sort of "crawl-and-go" traffic service. The Martin substitute, however, remedies this defect by providing a 10-year program, during which time the entire needs of the interstate system in each State would be coordinated under a uniform standard throughout the Nation.

Mr. President, I am supporting the Martin substitute, for the reasons which I have stated, as well as the reasons which have been mentioned by other Senators.

Mr. KNOWLAND. Mr. President, I yield 15 minutes to the Senator from Michigan [Mr. POTTER].

The PRESIDING OFFICER. This is time out of the reserved time of the Senator from California, by previous arrangement.

Mr. KNOWLAND. I understand the Senator from Pennsylvania is yielding to me the remainder of his time.

Mr. MARTIN of Pennsylvania. Mr. President, I yield the remainder of my time to the minority leader.

Mr. JOHNSON of Texas. Mr. President, I wonder if the distinguished Senator will be agreeable to my first yielding 2 minutes to the Senator from Minnesota [Mr. THYE].

Mr. POTTER. Mr. President, how much time did the Senator from California yield to me?

Mr. KNOWLAND. Fifteen minutes.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Michigan and the Senator from California permit me to yield 2 minutes to the Senator from Minnesota before the Senator from Michigan speaks?

Mr. POTTER. I am glad to yield.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 2 minutes.

Mr. THYE. Mr. President, it is not necessary to argue that a national system of highways across the United States is needed—such a national system of highways as is described on the map on the far side of the Chamber. There is no question about that. My only quarrel with the substitute measure before the Senate is that I do not think the financing arrangement has been clearly thought out. That is the disturbing fact with which I have been confronted this afternoon.

I have endeavored to learn as much as I possibly could about what is provided by the bill which has been reported by the committee, and generally referred to as the Gore bill. As I have examined S. 1048, I am not at all satisfied that the plan offers everything which should be contained in a Federal highway system bill. I believe funds would be allocated to States which would not have available to them money with which to match the Federal amounts. Therefore, there would be considerable sums allocated to States which could not make use of them. The moneys would simply be resting in the fund year after

year, just as has happened with respect to funds earmarked for the REA.

Therefore, I object to certain features of both bills before the Senate. I believe the Senate has the opportunity to perfect both measures, or to extract the best features from both and incorporate them into a bill which would assure some of the fringe States that they would have funds which would be allocated to them year by year, rather than have them wait to utilize those funds, perhaps 5, 8, or 10 years from now.

For that reason, Mr. President, I find it necessary to object to both bills, and I hope they may be sent back to the committee, so that a better bill may be worked out and the Senate may have a good bill before it.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. THYE. I thank the Senator for yielding me time.

The PRESIDING OFFICER (Mr. BARKLEY in the chair). The Chair understands the Senator from California yielded 15 minutes to the Senator from Michigan.

Mr. POTTER. Mr. President, I shall not use all the time allotted to me, but I wish to take this opportunity to state my position concerning the bill which is now before the Senate.

The bill, Mr. President, was supposed to provide for an adequate interstate highway system. The bill as reported by the committee does not take care of our needs for an overall interstate highway system. Michigan's need in this respect is \$627 million for the next 5 years. The Gore bill would give Michigan only \$278 million—less than half the amount which is required.

The substitute bill offered by the distinguished senior Senator from Pennsylvania [Mr. MARTIN] would give us an interstate highway system which is considered adequate.

I believe there is no disagreement among the supporters of the Gore bill and the Martin bill as to the need for an interstate system. First, such a system is needed for national defense. We know that today our military forces are mobilized as never before, and despite all the advances made in the movement of military forces by air, in case of a national emergency the basic needs of transportation for military forces would still be met by motor vehicle. Therefore, when we consider the vast amounts of money this country spends for national defense—and rightly so—we would be derelict in the consideration of our national-defense needs unless we removed the bottleneck which now exists and brought our national interstate highways up to date.

Mr. President, we also must consider the need for improving our interstate highway system for civilian defense. Many of us who have witnessed the movement of refugees during an emergency, such as during the last war, know how the refugees clogged the highways. Today, with the existence of hydrogen and other atomic weapons, if this country were to experience a military attack in which such weapons were utilized,

since we know that fall-out areas would embrace many miles, there would be great need for the best type of highway system to enable the authorities to move people out of congested areas. Therefore, for civilian defense, which subject has received much attention, we must improve our interstate highway system.

Mr. President, I am old fashioned enough to believe that we need also to improve our interstate highway system for domestic commerce. Our traffic problem is an expanding problem. The increase in the registration of motor vehicles and trucks today results in placing a great burden on our highways, and we know that burden is increasing with every month that passes.

Mr. President, I should like to refer to the so-called Clay report. This is what the Clay report states in regard to the traffic problem:

THE TRAFFIC JAM

Reduced to its simplest terms, the highway problem is this: Traffic has expanded sharply, without a corresponding expansion in capacity of roads and streets. As a result, a major portion of our facilities are seriously overcrowded. Moreover, this movement is faster and heavier than in previous years, and continues to increase.

Simple arithmetic illustrates the dimensions of the task. We now have more than 58 million motor vehicles registered; 1 for every 700 feet of every lane in both directions on all streets and highways in the Nation. This gigantic fleet traveled an estimated 557 billion vehicle-miles in 1954, much of it concentrated on main arteries in urban areas which have become the expensive, hazardous bottlenecks referred to by the President.

The existing traffic jam is bad enough, but prospects for the future are even worse. Vehicle registrations are expected to continue their upward surge, reaching 81 million by 1965, an increase of 40 percent. Total highway travel of these 81 million vehicles will likewise continue to increase as we attempt to meet the transportation requirements of an expanding economy, probably to reach an estimated 814 billion vehicle-miles in 1965.

This committee believes that these forecasts, carefully projected on the basis of all available data, are soundly conservative and represent the foundation upon which the Nation's highway-improvement programs should be planned. Our population is expected to exceed 180 million by 1965. Our gross national product, which was about \$357 billion in 1954, is estimated to reach \$535 billion by 1965, an increase of almost 50 percent in the next decade, as recently reported by the Joint Congressional Committee on the Economic Report.

Mr. President, I cite this excerpt from the so-called Clay report, in order to emphasize that today we are attempting to legislate to meet a need which is not only a serious one at present, but is constantly growing by great leaps and bounds. So it will take forthright action by the Congress to meet this problem. This is no time for us to dot every "i" and cross every "t"; this is no time for us to look behind words. This is the time for the Congress of the United States to meet with dynamic action this national problem.

I realize that when we are discussing a proposal which calls for the expenditure of great sums of money, there is need for a great deal of concern. But if we are to build highways, we must do so by one of three means: We must in-

crease the taxes sufficiently to be able to make it possible to build the highways on a so-called pay-as-you-go basis; we must build the highways in the way proposed in the so-called Gore bill, namely, by deficit financing; or else we shall have to sell revenue-producing bonds, and earmark the funds now secured from various gasoline and motor-oil taxes, for the retirement of the bonds.

I grant that none of the three methods is an easy one, but there is no easy way to build highways without spending some money. So it will cost money, regardless of whether it is financed by direct taxation, on a pay-as-you-go basis, or whether it is financed on the basis of deficit financing; or whether it is financed by the sale of bonds, to be retired by the use of earmarked funds.

I would prefer if we could shut our eyes to the financing of the highway program, but we cannot do so. We know that Congress will never raise taxes sufficiently to make it possible to build the highways on a pay-as-you-go basis, and to have a highway program sufficient to take care of the needs of the expanding traffic problem. We know that will not happen. We also know that by means of the Gore bill, Congress will never make it possible for \$7 billion plus to be handled by deficit financing at the end of 5 years.

So we come to the method of issuing revenue bonds. I do not intend to argue technical points on finances with so distinguished a Senator as the senior Senator from Virginia [Mr. Byrd]. But while I am always greatly influenced by the arguments he makes, I am also impressed by the fact that some other leading men of great stature, who are considered financial experts in their own right, claim that it can be done. The Secretary of the Treasury, George Humphrey, maintains that we can finance our highway program by means of the issuance of such revenue-producing bonds.

Mr. President, at this time I should like to call the attention of the members of the committee and the other Members of the Senate to the testimony of a very distinguished person from my State, the Mayor of Detroit, the Honorable Albert E. Cobo. Mayor Cobo appeared before the committee, and I should like to read into the RECORD a portion of his statement. Mayor Cobo has made a remarkable reputation in the State of Michigan because of the progress he has made possible in the development of our so-called freeways within the city of Detroit. I read now a portion of the statement Mayor Cobo made before our roads subcommittee:

The question of pay-as-you-go or borrowing came up in Detroit 5 years ago.

We came to the conclusion that on a pay-as-you-go basis our people would be paying for highways but they would not be riding very far on them for some years to come.

The job was just too big for that type of financing.

Why?

Because you can't acquire property for right-of-way or let contracts for overpasses or construct concrete pavement without having funds in advance.

In other words, the work must be carried on on a piecemeal pay-as-you-go financing basis.

This type of program leaves the property owner in the position of uncertainty unless his property can be purchased far enough in advance so that he can make plans for the future.

We found that, as soon as we had adequate funds and could acquire the property a reasonable time after the highway is located, much of the dissatisfaction of the property owners disappeared.

I quote further from the statement Mayor Cobo made before the committee:

We agreed that the modern highways would last 25 to 50 years, and it seemed perfectly logical that the people using these highways during the next 25 years ought to help pay for them.

By building the highways now and paying for them over 25 years—and that is what our bonds are, and I am speaking from a practical standpoint, of the things we have actually done—we are using the same principle that has been used for so many years in this country of amortizing capital investments over a part of the life of the project.

Mr. President, I should like to read further from Mayor Cobo's statement, but in order to save the time of the Senate I ask unanimous consent that his entire statement before the committee be printed in the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TESTIMONY BEFORE THE ROADS SUBCOMMITTEE OF THE SENATE, 84TH CONGRESS, 1ST SESSION, BY ALBERT E. COBO, MAYOR, CITY OF DETROIT, REPRESENTING THE AMERICAN MUNICIPAL ASSOCIATION, FEBRUARY 28, 1955

Mayor West, Mayor Kemp, and Mayor Morrison, in behalf of the American Municipal Association, have testified as to the urgent need for accelerating our highway and street program. Speaking for the American Municipal Association, I would like to devote a major part of my time to the question of financing, which is a subject I am most familiar with.

The importance of highways to our local and national economy is well-recognized. The value of modern highways in case of war has been clearly shown. There is no disagreement as to the urgency of accelerating highway construction, particularly the interstate highway system.

The big obstacle in the way of building adequate highways has always been financing. There still seems to be some difference of opinion as to how the program should be financed and over what period of years we should do the job.

In 1950, we appeared before congressional committees and suggested that the highway program lent itself to long-term financing as well or better than other types of public works.

We recommended that the Highway Act be amended to allow Federal aid funds to be used to help retire bonds on Federal Aid highway projects approved by the Bureau of Public Roads. The amendment was adopted at that session of Congress. It was the result of thorough consideration of the seriousness of the highway problem and excellent cooperation by the Members of Congress.

Detroit was particularly interested in this amendment, as we had already a plan in mind, with a new State law authorizing the sale of revenue bonds to accelerate our expressway program. We did sell the bonds. As a result, our program was accelerated more than 300 percent.

The question of pay as you go or borrowing came up in Detroit 5 years ago. We

came to the conclusion that on a pay-as-you-go basis our people would be paying for highways but they would not be riding very far on them for some years. The job was just too big for that type of financing. Why? Because you can't acquire property for rights-of-way or let contracts for overpasses or construct concrete pavement without having funds in advance. In other words, the work must be carried on on a piecemeal basis. This type of program leaves the property owner in the position of uncertainty unless his property can be purchased far enough in advance so that he can make plans for the future. We found that, as soon as we had adequate funds and could acquire the property a reasonable time after the highway is located, much of the dissatisfaction of the property owners disappeared.

We agreed that modern highways would last 25 to 50 years, and it seemed perfectly logical that the people using these highways during the next 25 years ought to help pay for them. By building the highways now and paying for them over 25 years, we are using the same principle that has been used so many years in this country of amortizing capital investments over a part of the life of the project.

The following exhibits will show how our expressway program was previously being financed on a pay-as-you-go basis, and how it is being financed now by the use of our revenue-bond plan.

This program has proven so successful in Detroit, Grand Rapids, and other parts of Michigan that we feel it is applicable for use in the Federal program.

State legislation permits the State highway commission to join with cities and counties under the Limited Access Highway Act in the joint financing of these highways. It authorizes the highway commission to pledge a portion of the highway revenues in cooperation with cities and counties for the retirement of bond issues. Under this plan we are capitalizing a portion of our revenues and in this way obtaining long-term financing, making possible the greatly accelerated program. This legislation is now being used by the highway commissioner in several parts of the State and it is proposed to use this particular legislation, slightly amended, to finance a large part of the State's share of the State primary highway system.

The bills which you are considering today recognize the highway need. Because bond financing has been successful in Michigan, and has been so enthusiastically endorsed by our citizens, we feel that the legislation agreed upon by your committee should include this type of financing.

On a pay-as-you-go basis even with a considerable increase in appropriations as allocated in bill S. 1043, it is evident that the present interstate highway system need could not be met in less than 30 years. I feel sure that the people do not want to wait 30 years and are willing to pay the extra interest costs so that they may have the use of these highways in the immediate future.

I am convinced that the savings to the highway users during this period would save the interest cost many times over. If these highways are not worth the added interest cost for early completion, the principal expenditure could not be justified.

We have previously pointed out that the Federal Government has recognized the urgency of the highway need by permitting the use of Federal funds to retire highway bonds. Under this plan, however, the States have to provide all of the financing, and Federal funds can only be used for the retirement of the Federal Government's portion of the cost, excluding interest. This is also dependent on a continued yearly appropriation by Congress.

The bond plan recommended in bill S. 1160 is a more direct and time-saving approach to the financing problem. If each State were required to amend their laws to allow local revenue bonds to be sold, there may probably be considerable delay in carrying out the interstate-highway program.

For this reason, although we have successfully used the revenue-bond-financing plan in Michigan, we feel that the recommendation of this bill would result in a more immediate acceleration of the national interstate-highway system.

In conclusion, we offer the following suggestions:

1. That Congress recognize the national importance of the interstate-highway system and agree to finance a substantial share of its cost.

2. That financing be made available to build this interstate-highway system over a period of 10 years to standards that will adequately handle the traffic for at least 20 years.

3. That the primary, secondary, and urban program be continued on approximately the same basis as it is now being carried out.

4. That important feeder roads to the interstate-highway system be included as part of the Federal-aid system particularly in congested areas.

5. Bill S. 1160 provides the corporation with enough authority to program work on the interstate system as rapidly as any State is ready to proceed. The distribution of the money to be made on a prorated basis of needs as submitted by the State highway commissioner. We think this is a particularly good feature of the bill.

EXHIBIT 1

SOURCE OF FUNDS FOR EXPRESSWAY CONSTRUCTION IN MICHIGAN

By terms of contract entered into in 1944 between the Michigan State Highway Department, Wayne County Road Commission, and city of Detroit:

	Annually
State highway department to furnish up to.....	\$3,000,000
Wayne County road commission to furnish up to.....	1,500,000
City of Detroit to furnish up to.....	\$1,500,000
Available Federal-aid funds estimated at.....	4,000,000
Total	10,000,000

¹ By State law, cities of over 50,000 population share the cost of State trunkline construction on a 50-50 basis with State highway department. Also, by State law, counties may assume all or any part of a city's obligation. Wayne County elected to assume 50 percent of Detroit's obligation in our 1944 expressway contract. These provisions for sharing the costs of trunkline construction apply on a decreasing schedule to all cities down to 20,000 population.

Michigan motor vehicle revenues, which include gasoline and license taxes, under present law, are distributed to the public agencies thus:

	Percent
State highway department.....	44
All counties.....	37
All cities.....	19

¹ County funds are distributed to individual counties on their respective proportion of motor vehicle registrations, road mileages, and rural population.

² City funds are distributed to individual cities and villages on their respective proportions of urban population, urban trunkline mileages, and street mileages. (See exhibit 5 for Act 51, Public Acts 1951, which provides for distribution of motor vehicle revenues.)

EXHIBIT 2

The following figures indicate how highway construction can be accelerated by bond financing:

EXPRESSWAY EXPENDITURES—JOHN C. LODGE EXPRESSWAY AND EDEL FORD EXPRESSWAY (From the inception of the agreement of September 1944)

Pay-as-you-go plan: First payment called for January 15, 1946, \$1 million.

Total payments to tri-party expressway fund as of June 30, 1951, by State, county, and city..... \$32,000,000

Other funds:

From Federal-aid funds..... 12,845,473
From State planning commission..... 295,000
13,140,473

Total expenditures in 5-year period to June 30, 1951..... 45,140,473

Expenditures after establishing Michigan

Revenue Bond Financing Plan:

Total expenditures in 3-year period from June 30, 1951, to June 30, 1954..... \$75,070,760

Balance to be expended..... 74,788,767
Completion date: December 1956.

¹ Expenditures in the first year did not accelerate to their maximum limit possible under bond financing due to lack of engineering plans and other construction difficulties.

First 5-year period, pay-as-you-go plan, expenditures \$45 million.

Second 5-year period, bond plan, expenditures \$150 million.

EXHIBIT 3

PRESENT PLAN FOR RETIRING \$80 MILLION BOND ISSUE ON JOHN LODGE AND EDEL FORD EXPRESSWAYS

JOHN C. LODGE AND EDEL FORD EXPRESSWAYS—INTERSTATE HIGHWAY SYSTEM

Twenty-three miles, partly financed by an \$80 million bond issue under Federal Aid Highway Act providing 50 percent Federal funds and 50 percent local funds.

State bond obligation, \$80 million.

Agreement for State and local financing, \$80 million:

State share (50 percent)..... \$40,000,000
County share (25 percent)..... 20,000,000
City share (25 percent)..... 20,000,000

Bond financing, Michigan revenue bond plan (dedicated tax).

Twenty-five-year highway revenue bonds: 2.125-percent interest (present issue).

Principal payments deferred for first 3 years.

Principal and interest paid in succeeding 22 years.

Total principal payments..... \$80,000,000
Total interest payments..... 26,389,150

Total cost..... 106,389,150

Average yearly funds pledged to retire, including interest, \$5 million.

By agreement, State and local annual financing is as follows:

State (50 percent)..... \$2,500,000
County (25 percent)..... 1,250,000
City (25 percent)..... 1,250,000
Total..... 5,000,000

The State highway department is limited to total issues of \$300 million of revenue bonds; \$80 million is part of \$300 million authorization.

The State highway department is limited to \$7½ million first lien per annum of its income from license and gasoline-tax revenues.

The \$2½ million is a part of the \$7½ million limit.

Five million dollars being required yearly, the balance is made up of one and one-fourth million dollars each from city and county by contract with the State.

EXHIBIT 4

PROPOSED METHOD FOR FEDERAL GOVERNMENT RELIEVING THE STATE AND LOCAL GOVERNMENT, FROM CARRYING THE FEDERAL SHARE, IN THEIR BOND AND LIEN LIMITS

PROPOSED HASTINGS-OAKLAND EXPRESSWAY—TOTAL COST \$80 MILLION

Proposed Hastings-Oakland Expressway, Interstate Highway System: 8 miles, financed under provisions of 1954 Federal Aid Highway Act providing 60 percent Federal funds and 40 percent local funds. Total cost \$80 million.

Total bond obligation, \$80 million.

Federal Government obligation, \$48 million.

Agreement for State and local financing, \$32 million:

State share (50 percent)..... \$16,000,000
County share (25 percent)..... 8,000,000
City share (25 percent)..... 8,000,000

Bond financing, Michigan revenue bond plan (dedicated tax).

Twenty-five-year highway revenue bonds: 2.125 percent interest.

Principal payments deferred for first 3 years.

Principal and interest paid in succeeding 22 years.

Total principal payments..... \$32,000,000
Total interest payments..... 10,435,380

Total cost..... 42,435,380

Average yearly funds needed to retire, including interest, \$1,697,415.

By agreement, State and local annual financing can be arranged thus:

State (50 percent)..... \$848,707
County (25 percent)..... 424,354
City (25 percent)..... 424,354

Total..... 1,697,415

State credit covers \$32 million of \$300 million limit.

First lien on State license and gasoline tax, yearly \$848,707 of \$7½ million lien.

Balance made up of \$424,354 each from city and county by contract with the State.

EXHIBIT 5

Bond table, amount of financing that may be bought with \$1,000,000. Annual payment for interest and principal

Interest rate (percent)	Length of issue			
	22 years	25 years; 3 years deferred; 22 years maturity	25 years	30 years
2.....	\$17,658,000	19,238,000	\$19,523,000	\$22,396,000
2½.....	17,427,000	18,852,196	19,238,000	22,016,000
2½.....	16,765,000	18,466,000	18,466,000	20,930,000
3.....	15,936,000	17,413,000	17,413,000	19,600,000
3½.....	15,167,000	16,481,000	16,481,000	18,392,000

The PRESIDING OFFICER. The time of the Senator from Michigan has expired.

Mr. POTTER. Mr. President, may I have 2 minutes longer?

Mr. MARTIN of Pennsylvania. Mr. President, I yield 2 minutes more to the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan is recognized for 2 additional minutes.

Mr. POTTER. I thank the distinguished Senator from Pennsylvania for extending me the courtesy of 2 additional minutes.

Who will benefit from this highway program? I have cited the need for the program, for national and civilian defense purposes, and domestic commerce, which is a Federal responsibility.

Who will benefit from the program? Take the question of jobs. For example, last year 240,000 workers were employed full time at roadbuilding. By 1957, if the so-called substitute should be enacted, the President's program would require another 130,000, and by 1960, still another 160,000 workers, as well as more than 50,000 off-site workers in mines, forests, factories, and so forth, the products of which are needed to supply the roadbuilders with materials.

Secondly, highways now consume about 50 million barrels of cement a year. This would rise to 162 million barrels in the fourth year of the program. Some 357 million tons of stone, sand, gravel, and slag now go into the building of roads each year. This would rise to a peak of about 535 million tons. Highway building currently uses about one-third of the country's annual production of 18 million tons of such materials as asphalt, tar, and so forth. Another 7 million tons yearly would be needed.

By the fourth year, roadbuilders will need some 2.2 million tons of steel, compared with current consumption of 656,000 tons a year.

So, Mr. President, despite the fact that this is a great national problem which needs solving, many fringe benefits will accrue from the highway-building program.

I sincerely hope that the Senate will have the wisdom to approve the Martin substitute for the Gore bill.

Mr. BUSH. Mr. President, will the minority leader yield 1 minute to me?

Mr. KNOWLAND. Mr. President, I yield 1 minute to the Senator from Connecticut.

Mr. BUSH. I should like to incorporate in my remarks at this point a letter from the National Grange, in which they very strongly endorse the 40,000-mile interstate highway system, and recommend that the allocation be made on the basis of need, together with a table showing the estimated needs of the States for the interstate system and the apportionments under S. 1048.

There being no objection, the letter and the table were ordered to be printed in the RECORD, as follows:

THE NATIONAL GRANGE,

Washington, D. C., May 24, 1955.

The Honorable PRESIDENT S. BUSH,

Senate Office Building, Washington, D. C.

DEAR SENATOR: The Grange believes that the Federal Government should assume the

entire cost of rebuilding the 40,000 miles of interstate system, because of its importance in national defense, interstate commerce, and general welfare. We further believe this objective should be achieved as a capital investment rather than entirely out of current revenue and that it should be accomplished in about 10 years.

There is, however, a provision of S. 1048 amended, which may serve to some extent to nullify the intent of the bill. We refer to the provision (commencing on line 16, p. 5) which allocates funds for the interstate system as follows: One-half on the basis of population and one-half on the basis of the 1944 Federal highways-aid formula; i. e., one-third each according to area, population, and mileage of roads.

Under this provision, some States will receive for the interstate system more money than they need to complete their portion in less than 10 years. Many other States will be unable to complete their portions in a time period much longer than 10 years. Further, while normally an excess of Federal funds might be regarded as a welcome windfall, as a practical matter it would not benefit these States as they would not be permitted to spend any substantial portion on other roads.

It is not necessary to list the States that will be so affected. The fact that, all other

considerations aside, this provision would prevent completion of the interstate system highways in all States at the same time is sufficient, in our view, to make it anathema to sound legislation.

This defect can be remedied easily by making the allocation in this instance in accordance with need only and, as you know, these needs in terms of money have already been established. Nor is it necessary to consider changing the 1944 formula for other Federal-aid roads. But it is vital that allocations be made according to need if we are to get the interstate system built in this time schedule.

We look upon this interstate system as a profitable investment, and believe, therefore, that financing it by a bond issue is justified. But whatever way it is financed, whatever provisions the Senate may desire to write into S. 1048 amended, we are firmly convinced that the money should be allocated for these particular 40,000 miles solely on the basis of need. We do not see what useful purpose can be served by giving some States more than their own estimates of requirements and some States less than they patently need.

Respectfully yours,

HERSCHEL D. NEWSOM,

Master.

Blunderbuss

[Millions of dollars]

State	1/2 of 10-year interstate system needs—Federal share	Federal funds provided for interstate system by S. 1048 amended, 5-year program	Excess of col. 3 over col. 2	Transferable to other Federal-aid programs				Excess apportionment which cannot be utilized (col. 4 minus col. 5)
				Total	Primary	Secondary	Urban	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Alabama	171	159						
Arizona	102	89						
Arkansas	93	113	20	14	6.8	6.1	1.1	6
California	1,136	440						
Colorado	72	104	32	14	7.0	5.3	1.7	18
Connecticut	272	74						
Delaware	29	49	20	4	2.1	1.5	.4	16
Florida	238	132						
Georgia	336	182						
Idaho	50	78	28	9	4.8	3.8	.4	19
Illinois	505	365						
Indiana	420	190						
Iowa	126	160	34	20	9.7	7.9	2.4	14
Kansas	93	143	50	20	10.1	8.0	1.9	30
Kentucky	235	145						
Louisiana	237	127						
Maine	69	63						
Maryland	210	92						
Massachusetts	407	164						
Michigan	627	278						
Minnesota	229	176						
Mississippi	114	124	10	10	4.8	4.5	.7	
Missouri	284	212						
Montana	70	109	39	15	8.2	6.3	.5	24
Nebraska	45	110	65	15	7.7	6.1	1.2	50
Nevada	35	81	46	9	5.0	3.8	.2	37
New Hampshire	30	49	19	4	1.9	1.5	.6	15
New Jersey	666	169						
New Mexico	113	94						
New York	627	548						
North Carolina	109	198	89	22	9.9	9.5	2.6	67
North Dakota	47	87	40	11	5.9	4.8	.3	29
Ohio	656	332						
Oklahoma	178	140						
Oregon	155	105						
Pennsylvania	350	412	62	42	16.1	10.7	15.2	20
Rhode Island	58	49						
South Carolina	84	105	21	5	2.1	1.5	1.4	16
South Dakota	42	91	49	12	6.5	5.1	.4	37
Tennessee	178	166						
Texas	403	446	43	43	20.4	15.3	7.3	
Utah	117	75						
Vermont	85	49						
Virginia	273	156						
Washington	226	124						
West Virginia	123	92						
Wisconsin	148	177	29	21	9.5	7.6	3.9	8
Wyoming	144	78						
Hawaii								
District of Columbia	72	49						
Puerto Rico								
Total	11,089	7,750	696	290	138.5	109.3	42.2	406

Mr. JOHNSON of Texas. Mr. President, I yield 10 minutes to the distinguished Senator from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. President, I do not relish the position in which I find myself with respect to the pending amendment. I am compelled to oppose it, however, because of objections which I have consistently raised against certain features of the bill as it was introduced, first as Senate bill 1160, and now as the substitute which is before us.

First of all, let me say that I think the substitute bill would be bad legislation, because it would violate the legislative integrity of the Senate and the House in their relations heretofore.

Basically, the bill is an appropriation bill and a revenue bill. There is no question that the language, if it were presented in a House bill, would be subject to a point of order on the ground that it could not be reported from the legislative committee.

On page 8, the substitute says:

There are hereby appropriated and there shall be paid by the Secretary of the Treasury to the Corporation for the fiscal year 1957, and for each fiscal year thereafter in which there are outstanding unmatured obligations of the Corporation, out of any moneys in the Treasury not otherwise appropriated, amounts equal to the revenue in excess of \$622,500,000 collected during each fiscal year—

And so forth. It is clearly an appropriation bill under the concepts of appropriations in the House of Representatives, where, under the Constitution, revenue measures must originate.

In the Senate we may waive the point of order, or we may not have a rule which exactly covers the situation, but it clearly is an appropriation bill and an invasion of the responsibilities of the appropriations and revenue financing committees.

I am opposed to the substitute, further, because I think there are, from the standpoint of good legislation, fatal defects in the provision for the proposed Corporation.

When I first came to the Congress the Government was spending about \$1 billion a year for WPA and PWA projects. If a Member of Congress wished to stand well at home he learned to carry a tin cup and go downtown and talk with Harry Hopkins or one of his underlings. Harry Hopkins never dreamed of having \$21 billion. Dallas Dort never dreamed of having \$21 billion. David Niles never dreamed of having \$21 billion. They never dreamed of being the directors of a corporation which could go to the Secretary of the Treasury and say, "Give us \$5 billion out of the credits of the United States Treasury."

In the days when the New Deal was applying the lash not merely to Republican States, but to some of the conservatives in certain Southern States, those boys never had the power to say, "Here are \$21 billion of highways that we propose to parcel out. We will determine the priority and the scheduling of the projects."

Nevertheless, the Martin bill proposes the creation of a corporation without any limitation on the life of the corporation, without any specified periods for the directors to serve. It is proposed to name three men, in addition to the Secretary of the Treasury and the Secretary of Commerce, to guide the destinies of a corporation pledged to get \$21 billion out of the Treasury of the United States by appropriations carried in the bill, with authority for the Secretary to expend \$25 billion if he so desires, and with the power to call on the Treasury at any time it is desired, to the extent of a maximum of \$5 billion.

Suppose we had a board with men like Harry Hopkins, David Niles, and Dallas Dort—3 members who could outvote the Secretary of the Treasury and the Secretary of Commerce, 3 men who would handle these vast sums and be the judges of what they could do, with authority to adopt, amend, and repeal bylaws, rules, and regulations governing the manner in which the functions of the board might be performed and its powers exercised.

In past days my Republican colleagues have talked about the powers given to the TVA. But, Mr. President, the TVA never was given the power proposed to be given the corporation provided for in the pending amendment. The TVA never had access to such vast funds as these. The TVA, if it wanted construction funds, had to come to the Congress and ask for construction money.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. BYRD. The Senator is well informed on these matters. Has any such proposal as this ever been made to Congress prior to this time?

Mr. CASE of South Dakota. Not that I know of.

Mr. BYRD. At any rate, no such proposal has ever been enacted into law by Congress.

Mr. CASE of South Dakota. Not that I know of, although there have been times when we have created Government corporations which had assets and direct earning power.

We now come to a point which I think has been responsible for a great deal of confusion. The distinguished Senator from Connecticut [Mr. BUSH] speaks of the gasoline tax as a revenue earned by the corporation.

The gasoline tax is not a revenue earned by the corporation. As the Comptroller General correctly said in his statement before the committee, the gasoline tax is a revenue of the Treasury. It is not something earned by the corporation. I quote the Comptroller General's exact words:

The gasoline taxes are revenues of the Treasury, and go into the general fund of the Treasury.

If I lived in the State of Connecticut, and less than 1 percent of the gasoline were used for other than highway purposes, I might think that the gasoline tax was a revenue earned by the highways. However, I come from a State where 30 percent of the gasoline used in

the State is used in the operation of tractors on the farm. It never gets on the highway at all.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I am very glad to yield to my friend from Mississippi.

Mr. STENNIS. I am very glad to hear the statement of the Senator. I served with him on the Public Works Committee previous to this year. The gasoline tax is collected over every highway and byway in the entire area of the Nation, and paid into the Treasury, not for any particular system of highways, but as general revenue.

Mr. CASE of South Dakota. It is general revenue of the Treasury. The Federal gasoline tax is paid by users of tractors, yachts, airplanes, and by others. Under the amendment the revenues from this source would be paid to a corporation which is not responsible to Congress. They would be expended under a priority schedule established by the Secretary. The language making that provision is found at page 18. That is an unsound approach, I submit, because it violates the principles Congress sought to establish in the Budget and Accounting Act. In the Budget and Accounting Act, passed in 1921, Congress sought to bring expenditures of the Government under review by Congress. Under the proposed amendment they would not come under review by Congress.

The Comptroller General, whose office was established by that act, came before our committee and exercised what I thought was the independence it was intended he should have when the act was passed. He advised against the legislation. He thought it was bad fiscal policy.

There is another provision in the amendment which has not received very much attention, but which also is undesirable.

The Constitution provides:

No money shall be drawn from the Treasury, but in consequence of appropriations made by law.

The substitute bill provides:

The Secretary of the Treasury may advance to the corporation in any fiscal year an amount not in excess of the estimated appropriations for that fiscal year, such advances to be repaid from amounts subsequently appropriated hereunder in that fiscal year.

In other words, the Secretary of the Treasury, on his own determination, may make a personal loan, of funds of the Treasury, and turn the money over to the corporation without its being in consequence of an appropriation made by law.

I believe that part of the amendment is definitely unconstitutional. In other words, under the amendment the Secretary of the Treasury can make an estimate of what he believes will be realized from the tax, and he can give the estimated amount of money to the corporation. It would be a corporation consisting of three members, who would be selected without regard to political affiliation. That provision could work either way. The members of the board could

all be members of one party, or they could be members of a splinter of one party. The board could use the money advanced by the Secretary of the Treasury under whatever priority of scheduling they wished to establish.

The present distinguished occupant of the chair, the junior Senator from Kentucky [Mr. BARKLEY], may remember that a few years ago the President of the United States undertook to freeze some flood control money which was involved in a project for the city of Louisville, Ky. However, just before the election, it was determined that the priority schedule of that flood control project called for the release of that money. That was of interest to the city of Louisville.

What I fear is that the money in the road fund may be released according to the board's interpretation of the emergencies of some particular situation.

I believe that is bad legislation. I am sorry that we have gotten ourselves into this kind of proposal to implement what I regard as a truly inspiring program for the building of the interstate system.

Let us not think that the President is interested in making the bondholders of a special class of bonds preferred bondholders, or wants to dedicate a portion of the Treasury's revenue to that purpose. He is interested in building roads.

Let us keep it a road-building bill and not a bond-selling bill.

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. JOHNSON of Texas. I yield 20 minutes to the distinguished senior Senator from Oklahoma.

Mr. KERR. Mr. President, I rise to oppose the substitute offered by the Senator from Pennsylvania [Mr. MARTIN], the Senator from Connecticut [Mr. BUSH], and the Senator from New Hampshire [Mr. COTTON].

I congratulate the Senator from South Dakota [Mr. CASE] upon his splendid presentation in opposition to the substitute and in support of S. 1048. I have worked with him and the other members of the committee on the pending bill, and I never saw more devoted or more able or more effective service given in the writing of a bill.

The Senate has had presented to it what purports to be a statement of allocation of funds under the substitute bill. It was called to the attention of the Senate by the distinguished Senator from Connecticut [Mr. BUSH]. The copy I hold in my hand has at the top of it the word "Blunderbuss."

I do not know what that means in respect to this particular document; but, if Senators will examine it, they will find that the interpretation is whatever they wish to give to the word.

The Senator from Connecticut has told the Senate that under the substitute States could have some assurance of getting money. I wish to say to Senators from every State in the Union that under the substitute no State has any assurance of getting any amount in the years immediately ahead, or in the near future.

He stated that the allocation set forth on the sheet is based on needs. I remind Senators that if a bill were passed which allocated Federal money on the basis of alleged needs, supported by the allegations of the States seeking the money, it would be the first time in history that Congress ever passed such a piece of legislation.

To show how ridiculous the basis is, I call attention first to the language contained in the report of the Clay Committee as submitted to Congress by President Eisenhower.

On page 11 of the message of the President of the United States it is stated:

The estimates of the several States may vary, some tending to be lower in relation to actual needs, while others may be higher. The total estimates for the country as a whole, however, are the best available, and are accepted by the committee as a measure of requirements.

Mr. BUSH. At what page is the Senator reading?

Mr. KERR. At page 11.

Mr. GORE. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. GORE. Is the Senator reading from the Clay report?

Mr. KERR. Yes; as submitted to Congress by the President.

Mr. GORE. It describes the figures which our distinguished colleague from Connecticut has used in the preparation of his table. Is that correct?

Mr. KERR. That is correct. I read further:

The total estimates for the country as a whole, however, are the best available, and are accepted by the committee as a measure of requirements. They establish the target for nationwide estimates of planning and financing; the actual expenditures for construction, of course, will be subject to the detailed specifications and other controls normally used.

Is that not a definite measure of allocation of money? I wish to show how that would work out.

If we look at the sheet which the Senator from Connecticut has passed around, we find that the State of New Jersey would be allocated \$666 million in the first 5 years. The State of New Jersey has 204 miles of interstate highways. The estimate of needs submitted by the State of New Jersey indicated that it needs \$1,357,000,000 for 204 miles of roads.

It would cost an average of \$11,117,000 a mile for other urban roads—

Mr. GORE. Mr. President, will the Senator from Oklahoma yield?

Mr. KERR. I yield.

Mr. GORE. Is there any estimate as to what kind of material would be used which would cost \$11,117,000 a mile?

Mr. KERR. It is not stated. I do not know whether it would be gold, platinum, uranium, or nylon. [Laughter.]

Mr. GORE. Is this some new-found formula for apportionment?

Mr. KERR. This is the fiction which has been offered, and, if it were to succeed, it would be perpetrated upon the people of the United States.

Mr. BUSH. Mr. President, will the Senator from Oklahoma yield?

Mr. KERR. I yield.

Mr. BUSH. Does the Senator think it is going to cost any less to build an interstate road system under the Clay report than under the other bill? If they are going to use nylon, they will use it.

Mr. KERR. Under the Gore bill, the money would be allocated following its appropriation of the money, and it would be used in all the States under a definite formula passed by the Congress, and not on the basis of a guessing contest, under which some States would be denied participation for the reason that they were honest or had less imagination in describing how much they might want.

Mr. BUSH. The allocation is made on the basis of the needs of the different States.

Mr. KERR. I wish to say to the Senator that his statement is inaccurate in two regards. In the first place, there is no apportionment under his substitute and the language of the amendment specifically says that even after the money is allocated there will not be an apportionment.

Mr. BUSH. I do not know what particular value the Senator finds in the word "apportionment." The amendment provides for the allocation of funds.

Mr. KERR. I was referring to the Senator's language, not to mine.

Mr. BUSH. The word "apportionment" is in both bills, but in the administration bill the words are "allocation of funds." I read it to the Senator a while ago.

Mr. KERR. The Senator did, and he did so as if it would mean something even if the money were allocated. But in order to save the power of the Secretary of Commerce, and in order to cut the ground out from under any State, the Senator went to the extent of saying that even after the funds were allocated they would not assume the dignity of apportionment. If the Senator is aware of the meaning of definite language, he knows the substitute means that the States could not expect to get the money except at the sole discretion of the Secretary of Commerce.

Mr. BUSH. The question about the allocation of funds never came up before the Committee. Why was it not raised in the hearings? The Governors of States and the mayors of larger cities endorsed the language. I cannot understand this sudden fear about the basis of allocation.

Mr. KERR. It happened that those who endorsed it were in the same status as is my good friend from Connecticut. They did not know what was in the administration bill.

Mr. BUSH. I would have to take exception to that statement.

Mr. KERR. The only position which my friend could get into that is worse than being convicted of not knowing what was in the bill is to continue to defend it after he has found out what is in it. If the Senator had known what was not in the bill, he would not have

waited until today to offer his amendment to make the bonds obligations of the Federal Government. Why else would he come here at the last minute and say, "If you are accurate in your analysis and appraisal, I would amend the substitute by making the bonds obligations of the National Government."

Mr. BUSH. The Senator has a good point there. I am perfectly willing to confess that it has taken me several weeks to study the situation and come to this conclusion. I came to it only yesterday. I am not ashamed of that.

Mr. KERR. I am happy the Senator has made what is referred to in Oklahoma as a deathbed repentance. But the Senator has not yet offered to amend the administration bill so that the great State of Connecticut could get a dollar under it.

Mr. BUSH. I am perfectly satisfied with the chances.

Mr. KERR. They are very slim and remote to satisfy a man who is so cautious and careful as is the distinguished Senator from Connecticut.

Mr. GORE. Mr. President, will the Senator from Oklahoma yield?

Mr. KERR. I yield.

Mr. GORE. The distinguished Senator from Connecticut has said the question of apportionment had not arisen before today. He will find it discussed in the majority report and in the speech which the junior Senator from Tennessee delivered last Friday. It is one of the basic differences between the bills, and has been so recognized since the beginning.

The Senator from Oklahoma has said the word "apportionment" appears in both bills, and that is correct. It appears once in S. 1160, on the last page of the bill. Will the Senator read it?

Mr. KERR. I shall be delighted to read it to make it certain that even when allocated, "the allocations made under this act shall not be deemed an apportionment."

Mr. BUSH. Mr. President, will the Senator from Oklahoma yield further?

Mr. KERR. I yield.

Mr. BUSH. I may say to the Senator that he has taken that language out of context.

Mr. KERR. Where else would I get it?

Mr. BUSH. The Senator will find, if he reads back a little further, that it applies to two specific situations, namely, one to section 13 of the Federal Highway Act of 1950, and the other to section 12 of the Hayden-Cartwright Act.

Mr. KERR. Those are the provisions of existing law under which money is apportioned to the several States.

Mr. BUSH. I thought section 13 had to do with the bypass section, and section 12 of the Hayden-Cartwright Act had to do with diversion. The wording the Senator has quoted modifies those two sections. If the Senator will read the sections, I think he will agree with me.

Mr. KERR. I have read the bill over and over again.

Mr. BUSH. Does not the Senator agree with me that this language modifies just those two sections?

Mr. KERR. No. I cannot find in the bill a single line that says Oklahoma or Colorado or Georgia or South Dakota shall receive a single dollar.

Mr. BUSH. That was not my question. The question was whether the Senator does not agree with me—

Mr. KERR. I do not.

Mr. BUSH. It is perfectly clear, and I notice the Senator reads English very well.

Mr. KERR. I thank the Senator from Connecticut very much. I read language which says that the Secretary of Commerce shall have sole responsibility for the allocation of the money, on a sort of grab-bag basis.

I wish to invite attention now to another inaccuracy in the tabulation presented by the Senator from Connecticut. I shall not say it is spurious, but I say it is inaccurate.

In the first column it is indicated that there would be a total of \$11,089,000,000 allocated in 5 years under the substitute bill. I wish to remind Senators, first, that the total of the substitute bill is \$25 billion; that under the plan, \$3 billion would be immediately diverted to the finishing of urban projects.

Mr. BUSH. Mr. President, will the Senator from Oklahoma yield?

Mr. KERR. I yield.

Mr. BUSH. I think the first column is headed "One-half of 10-year interstate system needs—Federal share."

That means an estimate of the needs. It does not necessarily mean they are going to get all of that money.

Mr. KERR. That is what I have been trying to tell Senators for an hour, that the document gives no indication of what the States are to get.

Mr. BUSH. It is a good indication, but it is not a positive figure.

Mr. KERR. That is the whole point of the argument.

Mr. BUSH. Then there is no disagreement between us.

Mr. KERR. The Senator from Connecticut has been telling the Senate that Senators could look at that column and tell what their States would get.

Mr. BUSH. That is approximately correct.

Mr. KERR. Now he says it is no indication of what they would get.

Mr. BUSH. All I say is that it is not an official figure; it is an estimate, and I think it is reliable.

Mr. KERR. Based on that statement, I intend to show that it is not reliable. Will the Senator admit that under the Clay plan, \$3 billion of the \$25 billion is set aside to build urban projects? Is the Senator aware of that?

Mr. BUSH. What is the Senator's question, again?

Mr. KERR. I asked if the Senator from Connecticut was aware of the fact that under the Clay proposal, which he has attempted to implement by an amendment in the nature of a substitute, \$3 billion of the \$25 billion is set aside for the completion of access roads into and out of cities of more than 50,000 population.

Mr. BUSH. I believe the Senator is correct.

Mr. KERR. That would leave \$22 billion. Now I call attention to the provision of the substitute bill which allocates money for reimbursement for the construction of toll roads. I believe that is on page 20.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. BUSH. Is the Senator from Oklahoma aware of the fact that that provision was removed from the substitute bill this afternoon?

Mr. KERR. No; I am not. Has the substitute bill been amended again?

Mr. BUSH. A vote was taken on the amendment to eliminate the section dealing with toll-road credits.

Mr. GORE. The question now arises, Was this table prepared before or after the amendment was adopted?

Mr. BUSH. I shall be glad to suggest to the Senator that it has no relationship to the toll-road matter.

Mr. KERR. Was not the estimate based on what would be available under the bill?

Mr. BUSH. Yes.

Mr. KERR. Does the Senator say that the elimination of the reimbursement feature for toll roads and primary systems would have any effect on the estimate?

Mr. BUSH. The table is based on the estimated needs of the States.

Mr. KERR. I thought it was presented, and I thought the Senator reaffirmed that position a while ago, as an indication that Senators could look to that and have some assurance that that is what their States would get in 1956.

Mr. BUSH. Yes, I reaffirm that statement.

The PRESIDING OFFICER. The time of the Senator from Oklahoma has expired.

Mr. JOHNSON of Texas. Mr. President, I yield an additional 10 minutes to the Senator from Oklahoma.

Mr. KERR. Would the estimate be the same if reimbursement were made for toll roads as if it were not?

Mr. BUSH. The estimates on the sheet to which the Senator refers apply to the estimates of the 5-year needs under the Gore bill.

Mr. KERR. I remind the Senator from Connecticut that he has told the Senate that the first column represents an estimate of the needs of the States and is an indication of what they would receive under the substitute bill.

Mr. BUSH. The table is an estimate of what the States need and what they would get under the Gore bill.

Mr. KERR. In the first column?

Mr. BUSH. Yes.

Mr. KERR. I say to my good friend from Connecticut that he is completely confused.

Mr. BUSH. I am reading from the heading.

Mr. KERR. The distinguished Senator must know that the first column was intended to indicate what the States would get under his bill.

Mr. BUSH. It is perfectly clear what the first column represents, if the Sena-

tor will read it. It is one-half of the estimated needs.

Mr. KERR. Has not the Senator reaffirmed three times, that it is also an indication of what the States would get under his bill?

Mr. BUSH. Yes; but only for a 5-year period.

Mr. KERR. Only for a 5-year period. Then it is not an indication of what the States would get under the Gore bill, is it?

Mr. BUSH. That is correct insofar as the first column is concerned.

Mr. KERR. Let us leave it on that basis, because a lot of time will be taken if the Senator shifts his ground again.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. MANSFIELD. Can the Senator from Oklahoma, for my benefit at least, state how much Massachusetts, for instance, would receive under the administration bill, either on a total basis or on a percentage basis?

Mr. KERR. I may say to the distinguished Senator that, according to what my friend from Connecticut has said, namely, that this is an indication of what the States would get under the substitute bill, Massachusetts would receive \$407 million in 5 years, for 347 miles.

Montana would get \$70 million for 1,237 miles under the substitute bill.

Mr. MANSFIELD. Does the Senator mean the administration bill or the Gore bill?

Mr. KERR. The administration bill. Mr. MANSFIELD. What would be the situation in those two States under the Gore bill?

Mr. GORE. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. GORE. The Senator from Oklahoma did not mean to suggest to the Senator from Montana, did he, that under the administration bill Montana or Massachusetts would receive any specific amount?

Mr. KERR. No. I said that the estimates submitted by the Senator from Connecticut, on the basis of his statement, indicate that that is what those States would get.

No, the Senator from Oklahoma has made it clear that in the administration bill there is no definite commitment to give any State anything, at any time.

Mr. MANSFIELD. I have certainly enjoyed the colloquy between the Senator from Connecticut and the Senator from Oklahoma; but I have been wondering what the word "blunderbuss" at the top of the table means.

Mr. KERR. I have asked that question three times.

Mr. MANSFIELD. Who put it there? It is written in ink.

Mr. KERR. I finally suggested that it was placed there as a basis for any Senator to use for his own imagination as to what the table meant.

Mr. GORE. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. GORE. In good humor, I suggest that it is an appropriate title for the table.

Mr. KERR. I think the Senator probably is correct. I am certain that he could arrive at that conclusion on an entirely different basis from the one which the Senator from Oklahoma has used in arriving at the same conclusion.

Mr. MANSFIELD. Mr. President, will the Senator further yield?

Mr. KERR. I yield.

Mr. MANSFIELD. Does the Senator know who was responsible for placing this set of figures on our desks?

Mr. KERR. I think it was some prankster; but I understand there is a rule of the Senate which prohibits a Senator from being specific as to that.

Mr. BUSH. I shall be glad to answer the Senator. I will take the blame for it.

Mr. KERR. Then, that settles all questions, but it does not solve any mystery.

Mr. MANSFIELD. As I understand, under both the administration bill and the Gore bill, there is no definite method of setting aside the funds, either on a total basis or a percentage basis; but that under the administration bill, if it were to be passed, and the phony corporation were set up, the President would have the exclusive right to dispose of the funds, where, when, and how he wanted to do so.

Mr. KERR. It would be the Secretary of Commerce.

Mr. MANSFIELD. But whom would he be acting for?

Mr. KERR. I must say to my good friend that it might be that the Secretary would be restrained or influenced by the President; but there is not even any guaranty of that.

Mr. MANSFIELD. The Secretary of Commerce would be the administrator of billions of dollars which would be collected through the issuance of bonds by a dummy or a phony corporation; and the moneys collected in that way would not become a part of the national debt.

Mr. KERR. Under an amendment offered by the sponsors of the administration bill, it has been decided to make those obligations direct obligations of the Federal Government.

Mr. MANSFIELD. Oh, then they will be facing up to the problem, instead of trying to dodge it.

Mr. KERR. That is correct; but I say they have only increased their problem; they have not solved it.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. BYRD. While it is true that the bonds might be a debt of the United States, the funds would not function through the Treasury and would not be regarded as constituting a deficit.

Mr. KERR. The Senator is entirely correct.

Mr. BYRD. That is the most remarkable system of bookkeeping I have ever heard of.

Mr. KERR. Mr. President, I wish to tell the Senator that the substitute bill discriminates against 83 percent of the road users and 92 percent of Federal-aid roads. It would be carrying 40,000 miles of highways from the status of rags to riches; it would be sentencing 677,000

miles of Federal-aid roads from riches to rags.

It would provide, as has been stated by the distinguished Senator from Texas, bonds for boulevards, and bond-aid for all other roads and all other road users.

It would freeze at present levels of development more than 90 percent of the highways of the country, when they are already inadequate and getting worse, by reason of the fact that they are neither being maintained nor constructed in a manner to keep up with increasing traffic. As traffic continues to increase and the load increases, the roads which would be provided for 92 percent of the system would get in poorer and poorer condition.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. BUSH. Why does the Senator speak of a freeze with respect to the administration bill?

Mr. KERR. Because the Senator has, in the first place, provided in his bill only \$622 million a year for all other roads than those in the interstate system. That is the present amount of allocation. And he has siphoned off all of the road users' money above that amount for an indefinite period, but for a minimum period of 30 years.

Mr. BUSH. If the Senator from Oklahoma will pardon me for saying so, I think he has made a very sweeping assertion which I do not think is necessarily a correct conclusion at all. There is nothing to prevent the Federal Government and the Congress from voting for road bills every 2 years, just as we have done every 2 years since the Senator has been a Member, and just as we did last year with regard to the 1954 act. There is no reason, if that should become the policy of the Congress and the States can do the matching, why the allocations for primary, secondary, and urban roads could not be increased. There is no reason why the \$622 million could not be increased if there seemed to be a need for it, and if such amounts could be financed by the States. It is true that the excess above \$622 million from the gas tax is used as a measure of the revenues from which the bonds would be retired, but that does not necessarily freeze the whole road bill.

Mr. KERR. I wish to say to my good friend that the whole basis of his remarks and that of the sponsors of the amendment is that the interstate system must be built, and that the financing is sound because the sponsors have set aside for the next 30 years all of the road users' money over and above the amount now being allocated to pay for the program the sponsors are seeking to have enacted into legislation.

Mr. BUSH. I cannot agree with that statement, because there is no reason why we could not increase the tax on tires. I am sure the Senator is aware of the fact that a \$5 tax increase on passenger car tires and a \$25 tax increase on truck tires would result in increased revenues of \$700 million. Is he not?

The PRESIDING OFFICER (Mr. SCOTT in the chair). The time of the Senator from Oklahoma has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 5 additional minutes to the Senator from Oklahoma.

Mr. KERR. Mr. President, nothing is more enjoyable than a continuation of my colloquy with the Senator from Connecticut, but I feel that nothing would be more productive of less beneficial results than a continuation of it.

Mr. President, the substitute which has been offered does not embody sound financing. It has been labeled a boon for investment bankers. It was conceived by investment bankers. Now that the proponents of the amendment have come into the open and said that the bonds should be a direct obligation of the Federal Government, why adhere to the fallacy of a special corporate setup, with power to issue bonds and fix the interest rates? If the sponsors had desired to have bonds issued at as low a rate as those at which regular Government bonds are issued, why would they have bypassed the Treasury of the United States in the issuance of the bonds? There can be but one reason, and that is that those who would handle the bonds would have an advantage which they would not have had if bonds were to be issued regularly by the Treasury of the United States.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. KERR. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. The answer to the Senator's question may be found in a reason suggested by a former distinguished Member of the Senate, the late Robert A. Taft. In a speech delivered by him before the Institute of Public Affairs of the University of Virginia on July 14, 1939, the late Robert Taft, in speaking about spending, lending, deficits, and so forth, said:

Unable to reconcile its followers or its conscience to still larger direct deficits, a Government lending program, financed through the sale of bonds of various agencies, guaranteed by the Government, is being rapidly expanded. There are already some 43 Government lending agencies, with loans and investments in excess of \$8 billion.

Mr. Taft discussed a pending bill, and then went on to say:

It would be much franker if the Government borrowed the money itself, and added the money to be loaned to its expenditures. But this, of course, would increase the apparent deficit, which already alarms the people of the United States.

Mr. KERR. I thank the Senator for reading those remarks from a speech of the late distinguished Senator Taft, in which speech, as I understand, he referred to 43 lending agencies which had made total loans of \$8 billion.

Mr. CASE of South Dakota. Eight billion dollars, and that was alarming the American people.

Mr. KERR. If he could look down from Valhalla, where I know his soul is in eternal security, upon the scene where his colleagues were endeavoring to create a corporation which alone could

issue \$25 billion of bonds guaranteed by the Government, at a rate of interest which had no relationship to that of regular Government bonds, I wonder what his reaction to such a proposal would be. I thank the Senator from South Dakota for that reference.

I say to Senators, if they want a road bill in which their States would have their equal portion of the pie guaranteed, on the basis of any sizable program, they will not get it from the substitute measure which has been sponsored by the distinguished Senators from Pennsylvania and Connecticut, high as they stand in the regard of Members of this body.

We recognize the need for an interstate system, but we also recognize the need for farm-to-market roads, secondary roads, and primary roads, and we have brought before the Senate a measure calculated to build the entire system of roads—not merely 8 percent which will be used by one-seventh of the road users of the country, but the entire system, 717,000 miles, in all, Mr. President, of highways now receiving Federal aid.

We bring before the Senate a measure which certainly recognizes the need for a national system; yes, but one which will not ignore or impoverish the program with reference to the secondary system and the primary system, which constitute more than 90 percent of the total road mileage of the United States, and which provide the roads and means of transportation for six-sevenths of the American people.

I know the Senate will refuse to accept the substitute.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that there may be a quorum call without the time being charged to either side.

Mr. JOHNSON of Texas. Mr. President, is the Senate prepared to vote?

Mr. KNOWLAND. I will say I have had no further requests for time. I am prepared to yield back my remaining time.

Mr. JOHNSON of Texas. Mr. President, I am prepared to yield back the time remaining to me.

Mr. BUSH. Mr. President, will the Senator from California yield for a question?

Mr. KNOWLAND. I yield.

Mr. BUSH. I should like to offer my amendment before the Senate votes on the Martin substitute. I shall take only 2 or 3 minutes.

Mr. President, I call up my amendment, and ask that it be stated.

The PRESIDING OFFICER (Mr. SCOTT in the chair). The amendment will be stated.

The CHIEF CLERK. In Mr. MARTIN's amendment in the nature of a substitute, on page 8, in line 10, beginning with "The", it is proposed to strike out all down to and including the period in line 16, and to insert in lieu thereof the following:

The Corporation shall insert appropriate language in all of its obligations issued under this subsection clearly indicating that the obligations, together with the interest thereon, are guaranteed by the United States.

Mr. BUSH. Mr. President, I do not propose to take much time on my amendment to the amendment of the Senator from Pennsylvania. I do not think this is a matter on which we need to have a great deal of debate. My amendment to the amendment speaks for itself.

I should like to state, briefly, that inasmuch as any realistic appraisal of the bonds of the Corporation would suggest that the Federal Government would have to make good on them, under almost any conditions one could conceive, we might just as well face that fact and provide that the bonds shall be guaranteed by the Federal Government, so that when the bonds are sold, the terms obtained, including the interest rates, will be as good as those which can be obtained in connection with obligations of the Federal Government.

I do not think my amendment to the amendment changes anything else in the bill; but it would eliminate the argument that there is an interest differential between the Corporation's bonds and Treasury obligations of similar maturity.

So I hope the Senate will adopt my amendment to the amendment, regardless of whether the Senate favors the Martin substitute.

Mr. President, I have nothing further to say on this question; and I am prepared to have the vote on the amendment to the amendment taken, if other Senators are willing to have that done now.

Mr. DIRKSEN. Mr. President, will the Senator from Connecticut yield for a question?

The PRESIDING OFFICER (Mr. BIBLE in the chair). Does the Senator from Connecticut yield to the Senator from Illinois?

Mr. BUSH. I am glad to yield.

Mr. DIRKSEN. Is it proposed to strike out the language on page 8, which specifically and clearly states that the obligations issued under this section, "together with the interest thereon, are not guaranteed by the United States and do not constitute a debt or obligation of the United States or of any agency or instrumentality thereof other than the Corporation."

Mr. BUSH. That is correct; and my proposal is to substitute the language:

The Corporation shall insert appropriate language in all of its obligations issued under this subsection, clearly indicating that these obligations, together with the interest thereon, are guaranteed by the United States.

Mr. DIRKSEN. Will they be guaranteed, and will they be obligations of the United States?

Mr. BUSH. They will be if the law says they must be.

Mr. DIRKSEN. But the question here is one of policy. If the bonds are issued under the language the Senator from Connecticut has contrived, every one of the bonds will have to show on its face that it is an obligation of the United States Government. We went through that agony before, in connection with the Joint Stock Land Bank; and millions of dollars of obligations were purchased in the utmost of good faith by various per-

sons who did not examine the language set forth in the bonds. They simply saw the title of the bonds, and said, "These are obligations of the United States Government." But they were not anything of the kind. Instead, they were obligations of the Joint Stock Land Bank; and when its bonds were liquidated, both institutional investors and individual investors lost their money.

Mr. BUSH. But does not the Senator from Illinois understand that these bonds and the interest on them are guaranteed by the United States, not by the Corporation?

Mr. DIRKSEN. How did the language stating that they are not obligations of the United States Government get into the bill?

Mr. BUSH. I cannot answer that question; I did not participate in the preparation of that disavowal. But after studying this matter for several months, it seems to me there is no advantage in disavowing it, and that there is some advantage in not disavowing it. Therefore, will not some advantage be gained by guaranteeing the bonds? Does not the Senator from Illinois agree as to that?

Mr. DIRKSEN. No, I do not. I do not know how other Senators may feel about the matter, but the language the Senator from Connecticut proposes to have included would give me no end of concern.

Mr. BUSH. Why is the Senator from Illinois bothered about it?

Mr. DIRKSEN. Because these are obligations of the Corporation, not obligations of the United States. But under the language the Senator from Connecticut proposes to have inserted, there would have to be a recital on the face of the bonds that they are Government obligations.

At this stage of the debate I would not feel free to do a complete about face, and, instead of specifically reciting that they are not obligations of the United States Government, now make them such obligations. I believe it would be far better for us to study the matter, and to adjust the difficulty and modify the arrangement in conference, if that were necessary.

But too much is involved in the proposal of the Senator from Connecticut. I say in all humility that I wish to go along with the substitute, but he now makes it difficult for me to do so.

Mr. BUSH. Does the Senator from Illinois agree with me that if the Corporation is established and if it issues the bonds, the Federal Government will have to stand behind them, as to both principal and interest, willy-nilly? Would the Senator from Illinois think the United States Government would let the bonds go by default?

Mr. DIRKSEN. For the moment, I do not pass on that question. At this time I pass on only the one point which disturbs me, namely, a bond issued by a corporation chartered under the authority of the United States is one thing; but a bond issued by the Government of the United States, with all the solemn obligation which goes with it, is another

thing. At this late hour I would prefer not to get into that difficulty.

The Senator from Connecticut may be correct; but I am sure that on such short notice I cannot spell out the implications of his amendment. I am frank to state that I am not an expert in this field. I never have pretended to be a financier. But I went through this agony and fought out this battle in connection with the Joint Stock Land Bank, in the House of Representatives, a great many years ago.

Now some persons are asserting that these bonds are to be obligations of the United States, when, in fact, they are not to be obligations of the United States. So what is the purpose of the amendment the Senator from Connecticut has submitted?

Mr. BUSH. The purpose is to remove any doubt as to the responsibility of the United States.

Mr. DIRKSEN. Then let me ask my friend, the Senator from Connecticut—and I ask this question once more: How did the original language reciting specifically that the bonds are not to be obligations of the United States, get into the substitute bill? Who was responsible for that language?

Mr. BUSH. I do not know. I am offering my amendment to the amendment because I have concluded that it does no good to include a protest or disavowal of responsibility. I believe that such a disavowal is no good because the United States Government would have to make good on the bonds in any event.

Mr. DIRKSEN. Was the amendment of the Senator from Connecticut to the amendment considered in the committee?

Mr. BUSH. No; it was not.

Mr. DIRKSEN. Then that adds to my difficulty.

Mr. President, I hope that the amendment of the Senator from Connecticut to the amendment will be withdrawn. Then, if the substitute prevails, the matter can be handled either in the House of Representatives or in conference.

I am frank to say that the amendment of the Senator from Connecticut gives me some consternation.

Mr. BUSH. Mr. President, at this time I will withdraw my amendment to the amendment.

Mr. CASE of South Dakota. Mr. President, I should like to obtain some time at this point. Let me inquire what Senator is now in control of the time.

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 2 minutes.

Mr. CASE of South Dakota. I thank the Senator from Texas.

Mr. President, I merely wish to point out that the situation which has arisen illustrates the difficulty of dealing with this matter.

The opinion of the Comptroller General, as expressed to the committee, was that—

The feature of the bill S. 1160 which may raise questions of legality is the financing method proposed.

Article 1, section 8, clause 1, of the Constitution gives Congress power to lay and collect excise taxes provided they are uniform throughout the United States. The Federal gasoline tax meets this requirement. There is, however, a constitutional limitation on the taxing power of the Congress.

That power may be exercised only "to pay the debts and provide for the common Defence and general Welfare of the United States."

In this measure it is proposed that we provide that—

(b) There are hereby appropriated and there shall be paid by the Secretary of the Treasury to the Corporation for the fiscal year 1957, and for each fiscal year thereafter in which there are outstanding unmatured obligations of the Corporation, out of any moneys in the Treasury not otherwise appropriated, amounts equal to the revenue in excess of \$622,500,000 collected during each fiscal year, as shown by the official accounts of the Directors of Internal Revenue, from the taxes (including interest, penalties, and additions to taxes) imposed by sections 4081 and 4041 of the Internal Revenue Code of 1954 on gasoline and special fuels, upon certification by the Board and the Secretary of the Treasury as necessary to finance this program.

So here we have a situation in which, if we comply with the Constitution and if we also comply with the opinion of the Comptroller General, we shall be recognizing the debt as a debt of the United States.

If it is not a debt of the United States, we have no business, under the Constitution, to appropriate the revenue from a tax to pay it. But it is because it was supposed to be a debt of the United States, in the opinion of the Comptroller General, that it would be considered legal to appropriate this money if we wished to do it, even though it were considered bad policy. But if we are to appropriate a tax to pay a debt, it must be a debt of the United States. That is why the amendment which the distinguished Senator from Connecticut proposed to offer would have been much sounder from a constitutional and fiscal standpoint.

Mr. BENNETT. Mr. President, on behalf of the senior Senator from Colorado [Mr. MILLIKIN], the senior Senator from Utah [Mr. WATKINS], the junior Senator from Colorado [Mr. ALLOTT], and myself, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Utah will be stated.

The CHIEF CLERK. At the end of the amendment in the nature of a substitute it is proposed to add the following new section:

INCREASING AUTHORIZED MILEAGE OF NATIONAL SYSTEM OF INTERSTATE HIGHWAYS

SEC. 306. Section 7 of the Federal-Aid Highway Act of 1944 (58 Stat., 838), designated a national system of interstate highways, is hereby amended by striking out "forty thousand" and inserting in lieu thereof "forty-two thousand five hundred."

Mr. BENNETT. Mr. President, I yield myself 10 minutes. I do not expect to use more than 2 or 3.

The Highway Act of 1944 established an interstate highway system of 40,000 miles. After 10 years of phenomenal

growth there has been no increase in that system. Section 17 of Senate bill 1048, for which the Senator from Pennsylvania [Mr. MARTIN] has suggested a substitute, would increase that mileage by 2,500 miles.

There are still remaining unallocated under the law of 1944 approximately 2,400 miles, but the Secretary of Commerce has made it plain that all this mileage will be required for allocation to urban areas. In fact, the Secretary of Commerce in his testimony indicated that the 2,400 miles may not be quite enough to take care of the problem of urban areas. That leaves no margin at all for the areas out in the country.

The purpose of my amendment is to increase the available margin by the amount of the existing reserve, as though that amount were not reserved for urban areas.

Mr. President, I think that is a sufficient explanation, and since this language is in the other form of the bill, the committee bill, I hope Members of the Senate will agree that, if the substitute were to be adopted, this same increase in mileage should be permitted.

Mr. MARTIN of Pennsylvania. Mr. President, I am speaking now as an individual member of the committee. We have gone into this question pretty thoroughly, and it seems to me that, in order to make a completed interstate system, there should be added some additional mileage. In the committee it was voted to add 2,500 miles to the figure in the original Gore bill. It should probably be explained to the Senate that some changes have been made. Certain roads have been made more direct, resulting in a saving of mileage in the interstate system of 40,000 miles. However, there will probably be some places where additions should be made to the interstate system, which was laid out in 1946, and more mileage will be required in the interurban system.

I feel that this amendment should be approved.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BENNETT. I am happy to yield.

Mr. GORE. As I understand the distinguished Senator, he proposes an increase in the interstate mileage. He is not undertaking to earmark this increase for particular urban or rural use, but rather is leaving it to the engineers and highway officials to designate the roads which are to be interstate.

Mr. BENNETT. The purpose of the amendment is simply to add a gross increase of 2,500 miles to the interstate system.

Mr. GORE. Which is commensurate with the addition in the committee bill.

Mr. BENNETT. That is my understanding.

Mr. GORE. I support the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah [Mr. BENNETT] for himself and other Senators to the amendment in the nature of a substitute, offered by the Senator from Pennsylvania [Mr. MARTIN], as amended.

The amendment to the amendment was agreed to.

Mr. BENNETT. Mr. President, on behalf of the senior Senator from Colorado [Mr. MILLIKIN], the senior Senator from Utah [Mr. WATKINS], the junior Senator from Colorado [Mr. ALLOTT], and myself, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Utah will be stated.

The CHIEF CLERK. At the end of the amendment in the nature of a substitute, it is proposed to add the following new section:

DESIGNATING HIGHWAY AS PART OF NATIONAL SYSTEM OF INTERSTATE HIGHWAYS

SEC. 306. (a) The Secretary of Commerce is hereby authorized and directed to designate as a part of the National System of Interstate Highways established under section 7 of the Federal-Aid Highway Act of 1944 (58 Stat. 838), a highway extending by a direct route from United States Highway No. 85-87 in Colorado westward across the Continental Divide and connecting with United States Highway No. 91 in Utah. The route to be followed by such highway shall be selected by joint action of the State highway departments of the States through which it runs after giving due consideration to any recommendations of the Secretary of Defense. The mileage of the highway designated under this section shall be counted for the purpose of the mileage limitation on the National System of Interstate Highways.

(b) The highway designated under the provisions of this section may be constructed, reconstructed, or improved by the use of Federal-aid road funds in the same manner as, and subject to the same provisions of law as may be applicable to, other highways constituting the National System of Interstate Highways.

Mr. BENNETT. Mr. President, on April 13, our former colleague, now the Governor of the State of Colorado, Ed Johnson, appeared before the committee to point out that, while it was the purpose of the interstate highway system to connect all State capitals, there is no road which directly connects the capitals of the States of Colorado and Utah. A bill for that purpose was introduced at that time, with the sponsorship of those who are sponsoring this amendment and some other Senators. I have offered that proposal as an amendment to this bill. It would have the effect of requiring the Secretary of Commerce and the Bureau of Public Roads to put into the interstate highway system a road which it is left for them finally to locate, to connect United States Highways Nos. 85 and 87 in Colorado with United States Highway No. 91 in Utah. In effect, it would connect, by a direct route, the city of Denver with the city of Salt Lake.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. BENNETT. I am happy to yield to my colleague from Colorado such time as he may require.

Mr. MILLIKIN. Mr. President, I hope the amendment will be agreed to. The State of Colorado, through its State legislature, has authorized a tunnel through the Continental Divide, so as to make it possible to connect Denver, Colo., with

the capital of Utah. I think the road program would be badly mutilated if such a provision were not in it. It is not in it at this time. I think the amendment would accomplish the necessary purpose, and I hope it will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah [Mr. BENNETT], for himself and other Senators, to the amendment in the nature of a substitute offered by the Senator from Pennsylvania [Mr. MARTIN], as amended.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BENNETT. I am happy to yield.

Mr. GORE. It is with reluctance that I express the opinion I am about to express. Earlier in the day I took the position that, since Members of the minority have been so cooperative, both in the committee and on the floor, in considering amendments to the committee bill strictly on the basis of merit, those of us in the majority should assist the leadership of the minority to perfect the minority bill in the form in which they wish to have it.

I do not wish to modify that statement, but I do desire to invite the attention of the distinguished Senator from Utah to the fact that this is a step which the committee cautiously resisted after careful consideration. I respectfully suggest that it would appear quite unwise for the Congress to get into the business of designating which roads should be interstate roads and which should not.

I believe I am qualified to make the statement that the testimony of the distinguished Governor of Colorado was one of the persuasive influences which caused the committee to increase the interstate mileage in its bill. The Senate has just adopted an amendment offered by the Senator from Utah to the so-called Martin amendment in the nature of a substitute, as amended, which amendment corresponds to the action taken by the committee in connection with the bill reported from the committee. I feel that if this bill should become law, the Senator would have an excellent chance to obtain designation of this road as an interstate highway. But if the Senate is to undertake to say which roads should be interstate and which should not, I have a pocketful of amendments, and so have other Senators. I beg the Senator to consider seriously the proposed step, before members of the minority place such a provision in their substitute amendment.

Mr. BENNETT. Mr. President, apparently no other Senators desire time. I yield back the remainder of my time.

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time.

Mr. LONG. Mr. President, before the Senator does so, may I have 1 minute?

Mr. JOHNSON of Texas. I yield.

Mr. LONG. I do not have much objection to Utah getting additional mileage for its interstate system. If it does, I hope the Senate will be equally kind to Louisiana, because we also have a

highway which we would like to put into the interstate system.

Mr. JOHNSON of Texas. Mr. President, I am prepared to yield back the remainder of the time on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah [Mr. BENNETT].

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. I should like to ask whether, under the prior amendment adopted by the Senate with respect to the 2,400 additional miles, which were not specifically designated, if, in the judgment of competent authorities, this stretch of road should be included, the road could be included under the prior amendment without specific designation? There may be some merit to the contention of the distinguished Senator from Tennessee [Mr. GORE] that when we once open the door by designating a specific road we might be in difficulty; whereas, under the broader language, any section of a road, with respect to which a case could be made as being equitable and meritorious, could be included. What does the Senator from Tennessee think about that?

Mr. GORE. I respectfully confirm the opinion of the distinguished senior Senator from California.

Mr. KNOWLAND. In view of the statement of the distinguished Senator from Tennessee and the excellent work done by the Senator from Utah, perhaps the Senator from Utah will not feel it necessary to press the amendment, because it might open the door to other proposals.

Mr. JOHNSON of Texas. I express the hope that the Senator from Utah will comply with the request of the distinguished minority leader. I supported the prior amendment of the Senator from Utah, and I was very happy to go along with it, and I still am prepared to do so along the line expressed by the distinguished Senator from Tennessee [Mr. GORE], but I hope the Senator from Utah will withdraw this amendment.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. BENNETT. I am happy to yield.

Mr. MILLIKIN. I should like to ask the Senator from Tennessee whether he was impressed with the argument of the Governor of Colorado that there should be a direct road from Colorado to Utah.

Mr. GORE. I was not only very much impressed by the argument and persuasion of the distinguished Governor, but also by the distinguished Senators from Utah and the distinguished Senators from Colorado.

I wish to go so far as to say that in the discussion in the committee the need for this particular highway was discussed. I do not wish to indicate that there is any legislative intent that this road should have priority consideration, but the committee was impressed, to answer directly the Senator's question.

Mr. MILLIKIN. The impression upon the committee was such that it felt impelled because of the need for the Colorado-Utah road, perhaps, among other reasons, to add additional mileage to the bill. Is that correct?

Mr. GORE. That, along with the demands for increasing the mileage in other areas, both rural and urban.

Mr. MILLIKIN. But this particular section of road was a potent influence in the decision.

Mr. GORE. It was.

Mr. WATKINS. Mr. President—

Mr. BENNETT. Mr. President, I yield to my colleague.

Mr. WATKINS. I wanted to ask the Senator from Tennessee the same questions the Senator from Colorado has propounded. I believe he obtained the answers I sought, if I heard them correctly. Do I understand that the plea made by the representatives of the States before the committee was one of the influences that helped to bring about the adoption of the amendment by the committee?

Mr. GORE. It was one of the principal influences.

Mr. BENNETT. Mr. President, in view of the discussion which has taken place, I should like to continue briefly. I had intended to offer another amendment, which is a companion amendment to the one I have offered, and it is equally important to the State of Utah.

I should like to discuss it for a minute or two. It is my amendment No. 3. United States Route No. 30 is the only East-West road that comes into my State. It touches highway No. 91 at Salt Lake City. In doing so, it passes a junction at which, if it continued on the other leg at the junction for 42 miles, it would touch highway No. 91 at the nerve center of one of our most important military installations, at Ogden, Utah.

Therefore, I hope that this discussion will make some impression on the Bureau of Public Roads and encourage them also to consider what I would have offered as my third amendment, which would have added to the interstate system 42 miles from the junction point into the military center of Ogden.

I ask unanimous consent that the text of both amendments be printed at this point in the RECORD.

The PRESIDING OFFICER. Without objection, the amendments will be printed in the RECORD.

The amendments of Mr. BENNETT which were ordered to be printed in the RECORD, are as follows:

Amendment No. 2: At the end of the Martin substitute amendment add the following new section:

"DESIGNATING HIGHWAY AS PART OF NATIONAL SYSTEM OF INTERSTATE HIGHWAYS

"SEC. 306. (a) The Secretary of Commerce is hereby authorized and directed to designate as a part of the national system of interstate highways established under section 7 of the Federal Aid Highway Act of 1944 (58 Stat. 838) a highway extending by a direct route from United States Highway No. 85-87 in Colorado westward across the Continental Divide and connecting with United States Highway No. 91 in Utah. The route to be

followed by such highway shall be selected by joint action of the State highway departments of the States through which it runs after giving due consideration to any recommendations of the Secretary of Defense. The mileage of the highway designated under this section shall be counted for the purpose of the mileage limitation on the national system of interstate highways.

"(b) The highway designated under the provisions of this section may be constructed, reconstructed, or improved by the use of Federal-aid road funds in the same manner as, and subject to the same provisions of law as may be applicable to, other highways constituting the national system of interstate highways."

Amendment No. 3: At the end of the Martin substitute amendment add the following new section:

"DESIGNATING HIGHWAY AS PART OF NATIONAL SYSTEM OF INTERSTATE HIGHWAYS

"SEC. 306. (a) The Secretary of Commerce is hereby authorized and directed to designate as a part of the national system of interstate highways established under section 7 of the Federal Aid Highway Act of 1944 (58 Stat. 838) a highway extending by a direct route from Echo Junction, Utah, to Ogden, Utah. The route to be followed by such highway shall be selected by the highway department of the State of Utah after giving due consideration to any recommendations of the Secretary of Defense. The mileage of the highway designated under this section shall be counted for the purpose of the mileage limitation on the national system of interstate highways.

"(b) The highway designated under the provisions of this section may be constructed, reconstructed, or improved by the use of Federal-aid road funds in the same manner as, and subject to the same provisions of law as may be applicable to, other highways constituting the national system of interstate highways."

Mr. BENNETT. I withdraw my amendment No. 2.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. MARTIN of Pennsylvania. Mr. President, I should like to make a brief statement. The two Senators from Utah and the two Senators from Colorado made a very profound impression upon the committee when they presented their proposal for an interstate road from Salt Lake City to Denver. Personally, 3 or 4 years ago, when I was making a road survey, I was surprised that that road was not on the interstate system. Our former colleague, the present Governor of Colorado, Edwin Johnson, made the statement that the Legislature of Colorado is now passing a law which will make possible the boring of a tunnel through the divide. When I was making my survey of roads I found that the reason why the road was not put on the interstate system in the beginning was the great expense involved in crossing the divide.

I believe that the work of the four Senators and the Governor of Colorado made a very great impression on the Public Works Committee, and had a great deal to do with adding the 2,500 miles to the Gore bill.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the minority leader and the majority leader yield back the remaining time on the substitute there be a quorum

call and that then the Senate may proceed to vote on the substitute.

Mr. ROBERTSON. Mr. President, does the majority leader plan to finish the bill tonight?

Mr. JOHNSON of Texas. The majority leader does not know the answer at this time. If we could have the unanimous consent agreement entered, the Senate could vote on the substitute. Then, if Senators would indicate whether they plan to call up their amendments, I would be in a better position to answer the Senator's question.

Mr. ROBERTSON. The amendment I have in mind would require only 5 minutes of my time to present to the Senate. The amendment in essence provides that, notwithstanding the authorization in the bill, there shall not actually be expended in any one fiscal year more than the receipts from the gasoline tax.

Mr. JOHNSON of Texas. As soon as the Senate votes on the substitute, the Senator from Virginia may speak as long as he wishes. First, we would like to get a vote on the substitute.

Mr. ROBERTSON. The Senator from Virginia would rather address Senators than speak to empty benches.

Mr. JOHNSON of Texas. The Senator from Virginia probably will have more Senators to speak to after we vote on the substitute.

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the Senator from Texas? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. If it is agreeable to my delightful friend from California, I shall yield back the remainder of my time, if he is prepared to do likewise.

Mr. KNOWLAND. Having no additional requests for time, I am prepared to yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. As I understand, under the unanimous-consent agreement which has been entered into the Senate will proceed to have a quorum call and then will proceed immediately to vote on the substitute. Is that correct?

The PRESIDING OFFICER. That is a correct statement of the situation.

Mr. JOHNSON of Texas. I thank the distinguished occupant of the chair. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Alken	Butler	Duff
Allott	Byrd	Dworshak
Anderson	Capehart	Eastland
Barkley	Case, N. J.	Ellender
Barrett	Case, S. Dak.	Ervin
Beall	Chavez	Flanders
Bender	Clements	Frear
Bennett	Cotton	Fulbright
Bible	Curtis	George
Bricker	Daniel	Goldwater
Bridges	Dirksen	Gore
Bush	Douglas	Green

Hayden	Long	Robertson
Hennings	Magnuson	Russell
Hickenlooper	Malone	Saltonstall
Hill	Mansfield	Schoeppel
Holland	Martin, Iowa	Scott
Hruska	Martin, Pa.	Smathers
Humphrey	McClellan	Smith, Maine
Jackson	McNamara	Smith, N. J.
Jenner	Millikin	Sparkman
Johnson, Tex.	Monroney	Stennis
Johnston, S. C.	Morse	Symington
Kefauver	Mundt	Thurmond
Kennedy	Neely	Thye
Kerr	Neuberger	Watkins
Kilgore	O'Mahoney	Weiker
Knowland	Pastore	Williams
Kuchel	Payne	Young
Langer	Potter	
Lehman	Purtell	

The PRESIDING OFFICER. A quorum is present.

Mr. JOHNSON of Texas. Mr. President, under the unanimous-consent agreement the Senate is about to vote on the substitute offered by the Senator from Pennsylvania [Mr. MARTIN] for himself and other Senators, is it not?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Texas. A vote "yea" is a vote for the substitute, and a vote "nay" is against it?

The PRESIDING OFFICER. That is correct.

Mr. KNOWLAND. Mr. President, on the question of agreeing to the pending amendment I request the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Pennsylvania for himself and other Senators. The yeas-and-nays having been ordered, the clerk will call the roll.

The legislative clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Montana [Mr. MURRAY] is absent by leave of the Senate to attend the International Labor Organization meeting in Geneva, Switzerland.

I further announce that the Senator from Montana [Mr. MURRAY] is paired with the Senator from New York [Mr. Ives]. If present and voting the Senator from Montana would vote "Nay" and the Senator from New York would vote "Yea."

Mr. SALTONSTALL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from New York [Mr. Ives], and the Senator from Wisconsin [Mr. McCARTHY] are absent on official business.

I also announce that the Senator from Wisconsin [Mr. WILEY] is necessarily absent.

If present and voting, the Senator from Kansas [Mr. CARLSON] and the Senator from Wisconsin [Mr. McCARTHY] would each vote "yea."

On this vote the Senator from New York [Mr. Ives] is paired with the Senator from Montana [Mr. MURRAY]. If present and voting, the Senator from New York would vote "yea" and the Senator from Montana would vote "nay."

The result was announced—yeas 31, nays 60, as follows:

Alken	Beall	Bricker
Allott	Bender	Bridges
Barrett	Bennett	Bush

Capehart	Kennedy	Purtell
Case, N. J.	Knowland	Saltonstall
Cotton	Kuchel	Smith, Maine
Dirksen	Malone	Smith, N. J.
Duff	Martin, Iowa	Thye
Flanders	Martin, Pa.	Watkins
Goldwater	Millikin	
Hickenlooper	Potter	

NAYS—60

Anderson	Hayden	Monroney
Barkley	Hennings	Morse
Bible	Hill	Mundt
Butler	Holland	Neely
Byrd	Hruska	Neuberger
Case, S. Dak.	Humphrey	O'Mahoney
Chavez	Jackson	Pastore
Clements	Jenner	Payne
Curtis	Johnson, Tex.	Robertson
Daniel	Johnston, S. C.	Russell
Douglas	Kefauver	Schoeppel
Dworshak	Kerr	Scott
Eastland	Kilgore	Smathers
Ellender	Langer	Sparkman
Ervin	Lehman	Stennis
Frear	Long	Symington
Fulbright	Magnuson	Thurmond
George	Mansfield	Weiker
Gore	McClellan	Williams
Green	McNamara	Young

NOT VOTING—5

Carlson	McCarthy	Wiley
Ives	Murray	

So the amendment in the nature of a substitute offered by Mr. MARTIN for himself and other Senators was rejected.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Maurer, its reading clerk, announced that the House had passed, without amendment, the joint resolution (S. J. Res. 18) to provide for the reappointment of Dr. Jerome C. Hunsaker as Citizen Regent of the Board of Regents of the Smithsonian Institution.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 24) relative to placing temporarily in the rotunda of the Capitol a statue of the late Edward Douglass White, of Louisiana.

The message further announced that the House had agreed to the amendment of the Senate to the joint resolution (H. J. Res. 310) making additional appropriations for the fiscal year ending June 30, 1955, and for other purposes.

FEDERAL AID ROAD CONSTRUCTION PROGRAM

The Senate resumed the consideration of the bill (S. 1048) to amend and supplement the Federal Aid Road Act approved July 11, 1911 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. ROBERTSON. Mr. President, I call up my amendment which is at the desk and ask that it be stated. Since so many of my colleagues are present, I hope they will remain and hear the amendment as it is read, because I am certain it will be of interest to them.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Virginia.

The CHIEF CLERK. On page 15, line 21, it is proposed to strike out "one year" and insert in lieu thereof "six months." On page 16, between lines 7 and 8, it is proposed to insert the following new section:

SEC. 11. (a) Notwithstanding the foregoing provisions of this act, if for the fiscal year ending June 30, 1957—

(1) the total of (A) the sums authorized to be appropriated by sections 1 and 2 of this act for such fiscal year and (B) the sums authorized to be appropriated by sections 3, 4, and 5 of the Federal-Aid Highway Act of 1954 for such fiscal year exceeds

(2) the total of the revenues collected during the fiscal year ending June 30, 1955, as shown by the official accounts of the Directors of Internal Revenue, from the taxes (including interest, penalties, and additions to taxes) imposed by sections 3412 (a) and 2450 of the Internal Revenue Code of 1939 and by sections 4081 and 4041 of the Internal Revenue Code of 1954 on gasoline and special fuels,

then each such sum authorized by section 1 or section 2 of this act to be appropriated for the fiscal year ending June 30, 1957, shall be reduced by an amount which bears the same ratio to such sum as the amount of the excess bears to the total of the sums authorized by sections 1 and 2 of this act to be appropriated for the fiscal year ending June 30, 1957.

(b) Notwithstanding the foregoing provisions of this act, if for the fiscal year ending June 30, 1958, or any succeeding fiscal year—

(1) the total of the sums authorized by this act to be appropriated for any such fiscal year exceeds

(2) the total of the revenues collected during the second preceding fiscal year, as shown by the official accounts of the Directors of Internal Revenue, from the taxes (including interest, penalties, and additions to taxes) imposed by sections 4081 and 4041 of the Internal Revenue Code of 1954 on gasoline and special fuels,

then each sum authorized by this act to be appropriated for such fiscal year shall be reduced by an amount which bears the same ratio to such sum as the amount of the excess bears to the total of the sums authorized by this act to be appropriated for such fiscal year.

(c) The Secretary of the Treasury shall, as soon as practicable after the close of the fiscal year ending June 30, 1955, and each of the 4 succeeding fiscal years (but not later than October 1 following each such fiscal year) certify to the Secretary of Commerce the total of the revenues collected during each such fiscal year, as shown by the official accounts of the Directors of Internal Revenue, from the taxes (including interest, penalties, and additions to taxes) imposed by sections 3412 (a) and 2450 of the Internal Revenue Code of 1939 and by sections 4081 and 4041 of the Internal Revenue Code of 1954. If for the second fiscal year following any fiscal year for which certification is made the sums authorized to be appropriated by this act are reduced under subsection (a) or (b), the Secretary of Commerce shall, not later than October 15 preceding the beginning of the fiscal year for which the sums authorized to be appropriated are reduced, compute and publish in the Federal Register the sums authorized to be appropriated for such fiscal year, as reduced by subsection (a) or (b).

Renumber succeeding sections.

Mr. ROBERTSON. Mr. President, the language of the amendment which was just read sounds very formal, but all it means is this: Let us not spend more

than we have. Everybody knows we face a deficit in this fiscal year. In all probability we shall have a deficit in the next fiscal year. As a member of the Committee on Appropriations, I know we have no loose money lying around which can be gathered into a new road program.

The purpose of the amendment is to provide that for each fiscal year of the 5-year program we shall be limited in our spending to revenues produced by taxes on gasoline, fuel oil, and several other taxes of that kind, which money we really call the road fund, although it is not so earmarked.

The committee recognizes that it is somewhat embarrassing to come before the Senate with a bill which proposes to spend over \$7 billion more than is in sight, and so the committee says to the Senate:

We have our individual views with respect to the levying of additional taxes and also with respect to provisions of existing tax laws, but we recognize that revenue matters are not within the jurisdiction of the Committee on Public Works. It is hoped—

And I underscore the word "hoped"—that the appropriate congressional committees will give this matter early consideration.

I say to my colleagues that we should give consideration to that question now. Now is the time to do it, or the Senate will throw on to the Committee on Appropriations and the Secretary of the Treasury the problem of appropriating and obtaining money which we do not have.

What are the facts? The bill authorizes for the regular system \$4,500,000,000; for the interstate system, \$7,750,000,000; for the forest, park, Indian reservation, and public-land roads, \$332 million, a total of \$12,582,000,000.

Estimated receipts from the 2-cent gasoline and diesel-fuel taxes over the 5-year period are \$5,475,000,000.

Spending not provided for amounts to \$7,107,000,000.

In the pending budget, there is a cash item of Federal aid for roads of \$680 million, although there is an authorization for an obligation of \$876 million.

However, it is anticipated that the States supplying their own matching funds will not actually spend and call on Federal funds in excess of \$860 million.

The average receipts from the gasoline tax, as I have indicated, will exceed \$1 billion annually.

Under my amendment, if it is adopted, the road aid program can be stepped up by over \$400 million a year, and still be within the receipts which will be obtained from a tax which was imposed primarily for the construction and maintenance of roads, but which has not been used for that purpose.

We in Virginia have what we call a pay-as-you-go plan, which was sponsored by my distinguished colleague [Mr. BYRD], and supported by me in the State senate. Since that time our gasoline tax in Virginia is absolutely dedicated to road construction and maintenance. We think it is a fair tax.

The Federal tax also is fair, except that we have been collecting more revenues

from the tax than have been devoted to road construction and maintenance.

Mr. DANIEL. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. DANIEL. Is it not true that the sole purpose of the amendment is to say that, as far as the Senate is concerned, we want this to be a pay-as-you-go program rather than a deficit-financed program?

Mr. ROBERTSON. Absolutely. Our system in Virginia is a pay-as-you-go system. We should follow the same system so far as the Federal road program is concerned.

Mr. DANIEL. In other words, the effect of the adoption of the amendment would be to say that the program must be financed from the specified present and future tax collections instead of adding to the national debt?

Mr. ROBERTSON. That is absolutely correct.

There is another factor involved. Some Senators are interested in other matters besides the construction of roads. Some Senators think perhaps a little Federal aid for school construction might be a good thing. Some Senators think we might spend more for programs involving research in such diseases as cancer, heart disease, and other diseases. If a Senator sitting on the Committee on Appropriations were to listen to all the pleas for financial aid, he would know that if we had \$1 billion to grant for laudable purposes, we would not have enough money.

Mr. LONG. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. LONG. Looking at the matter from a logical point of view, could not the Senator just as well say expenditures should not exceed revenues received from excise taxes on automobiles?

Mr. ROBERTSON. Not at all.

Mr. LONG. Why limit the argument to gasoline taxes?

Mr. ROBERTSON. The original purpose of the gasoline tax was to finance road construction, and the tax was imposed for that purpose. I am proposing that, while the money is not to be earmarked, the money will be used; but the bill would propose to tie up \$7 billion more than we have. Pressure will be exerted on the Appropriations Committee by people from all over the Nation, who will say, "You promised us sugar plums, and we expect you to give them to us."

Mr. BENDER. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. BENDER. I commend the Senator, and I support the program, and I also appreciate the comment he has made about the fact that the State of Virginia has a pay-as-you-go program. I agree. [Laughter.]

Mr. ROBERTSON. We are not ashamed of our roads in Virginia.

Mr. LONG. Mr. President, will the Senator yield?

Mr. ROBERTSON. Mr. President, I have an engagement to keep. I suppose other Senators also have. I merely

wish to ask them not to listen to the language of my amendment; just listen to what I tell them it means.

Mr. LONG. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. LONG. In most States revenues obtained from payments for license plates are applied to highways. Perhaps the same thing is done in Virginia. I know it is done in Louisiana. I wonder if the Senator will agree with me that revenue which is obtained from direct taxes on automobiles should be applied to construction and maintenance of highways. When a person buys an automobile, he would like to be sure that there will be highways on which to drive his automobile.

Mr. ROBERTSON. When I first served on the Committee on Appropriations, and we were in the great depression, we were looking for new sources of revenue. The Federal Government was putting taxes on nearly everything, and we imposed taxes on automobiles with the idea that we would let the rich help pull us out of the hole. That did not mean that all automobiles were considered to be luxuries. But that is the way that tax began; it was not for the purpose of building roads.

Mr. RUSSELL. Mr. President—

Mr. ROBERTSON. I yield to the Senator from Georgia.

Mr. RUSSELL. I agree that it is much easier to follow the remarks of the distinguished Senator from Virginia than it was to follow the reading of the amendment.

But as I understand the amendment, the purpose is to avoid deficit financing in connection with the construction of the roads authorized by the pending bill.

Mr. ROBERTSON. Absolutely.

Mr. RUSSELL. If an additional gasoline tax were imposed at a later date, would the funds thus raised be available to carry out the program? Or, contrariwise, would it be necessary to curtail the program if subsequently the Congress failed to levy additional taxes for it?

Mr. ROBERTSON. It would be the simplest thing in the world. The House could say, "We will impose the tax." The Senate could not initiate the tax, of course. If the House of Representatives voted to increase the tax by 1 cent, \$500 million more would be available. If the House voted to increase the tax by 2 cents, \$1 billion more would be available. Then we would not incur a great deficit during the 5-year period.

I am simply asking how many Senators are willing to say, "Yes, we want to build the roads; and, yes, we know we need the roads; and, yes, we are willing to finance them."

Mr. RUSSELL. Mr. President, I commend the purpose of the Senator's amendment. I think perhaps the amendment might stand a little clarification and simplification.

Mr. ROBERTSON. Mr. President, the best experts in the Legislative Drafting Service prepared the amendment. But the distinguished parliamentarian said he could not understand its language so well. Then we had a 30 minute

debate with him, and finally we satisfied him.

I did not propose to read the amendment because I had a little difficulty explaining it myself; but I knew what it meant. [Laughter.]

Mr. RUSSELL. Mr. President, I am delighted that the Senator from Virginia does, because I am sure that he and the man who drafted the amendment are the only ones who do. [Laughter.]

Mr. ROBERTSON. Mr. Johnny Simms and his assistant drafted the amendment. Then I went over it; and I said to them, "It looks powerfully complicated." But he replied, "But this is a complicated bill." [Laughter.]

Mr. CASE of South Dakota. Mr. President, will the Senator from Virginia yield to me?

Mr. ROBERTSON. Mr. President, the majority leader asked me to yield the floor. So I am sorry I cannot yield.

Mr. GORE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Tennessee?

Mr. ROBERTSON. I knew the Senator from Tennessee would oppose the amendment.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Tennessee such time as he may desire.

Mr. GORE. I should like to have 5 minutes.

Mr. JOHNSON of Texas. Then, Mr. President, I yield 5 minutes to the Senator from Tennessee.

The PRESIDING OFFICER (Mr. JOHNSON of South Carolina in the chair). The Senator from Tennessee is recognized for 5 minutes.

Mr. GORE. Mr. President, I have made two trips to the desk, in an attempt to understand this amendment. As best I can tell, the amendment applies to the 1954 act, as well as to the pending bill. Mr. President, the 1954 act was enacted with the support of this body. The apportionments under that act are already made, and are effective as of July 1, 1955. Even though the able junior Senator from Virginia wishes to apply the amendment to this bill, I seriously doubt that he would wish to apply it to the 1954 act.

The Senator from South Dakota read the amendment at the same time that I did. Does he concur in my interpretation of it?

Mr. CASE of South Dakota. Mr. President, the amendment is very formidable and very complicated. I hesitate to express a firm opinion as to what it will do. But as nearly as I can interpret what the amendment will do, it provides that if there is not sufficient money to take care of the combination of the authorizations in the 1954 act, plus the authorizations for 1957, plus the authorization for the interstate system under the pending bill, then both of them would suffer the cut. That would have a very disastrous effect, because the authorization for the fiscal year 1957 for the Federal primary, secondary, and urban roads would come to \$700 million. If we add to that amount the authorization for the interstate system, under this bill,

namely, \$1 billion, we arrive at a total of \$1,700,000,000. If we apply the deficit pro rata to them, the funds under the 1957 authorization for the primary, secondary, and urban roads would be cut, not only below the present authorization, but below the authorization under the 1952 act.

Mr. ROBERTSON. Mr. President, I think the distinguished Senator from South Dakota has misinterpreted the language of the amendment. Under the amendment there is bound to be an increase in the funds for highway construction; there will be an increase of \$400 million or \$500 million, at a minimum; and any amount above that will depend entirely on how much more we increase the gasoline tax. The amount we increase that tax will determine how close we come to reaching the full authorization of the bill.

Mr. GORE. Mr. President, it may well be that both the Senator from South Dakota and I have misinterpreted the language of the amendment. The junior Senator from Virginia does not claim to have properly interpreted the amendment himself.

I hope the Senate will not take such a leap in the dark.

Mr. CASE of South Dakota. Mr. President, will the Senator from Tennessee yield to me?

Mr. GORE. I yield.

Mr. CASE of South Dakota. The situation is that we already have a rabbit in the 1957 act authorization for primary, secondary, and urban roads; and now it is proposed that we add a horse in the form of the billion-dollar authorization for the interstate road system, under the provisions of this bill. Then we are told that if we do not have feed enough for both of them, we shall cut down on the feed of each one in the same proportion. The result may be to starve to death the rabbit.

Mr. DANIEL. Mr. President, will the Senator from Tennessee yield to me?

Mr. GORE. I yield.

Mr. DANIEL. Does the Senator from Tennessee understand that by voting for this authorization, the Members of the Senate will obligate themselves to vote for the appropriations, when they come before us, regardless of whether increased taxes to pay for this program have been levied?

Mr. GORE. Mr. President, this afternoon the distinguished Senator from Virginia said one Congress cannot bind another.

Mr. DANIEL. I was merely asking the opinion of the Senator from Tennessee before I cast my vote. I should like to vote for the authority; but I say to the Senator from Tennessee that I will not do so if, by so doing, I shall be obligating myself to vote for the necessary appropriations if taxes have not been raised sufficiently to pay for the program.

Mr. GORE. I would not be able to advise the able Senator from Texas on the proper discharge of his duties. He is an able Member of the Senate than I am.

I would expect that when the bill becomes law, if it does, it would inaugurate a program which would have the support

of the people and of this Congress. And I would expect that, as was inherent in the administration bill, the more good roads we build, the more automobiles, trucks, and buses will travel on them, and the more income to the Treasury there will be.

I believe that over the period of years during the life of these highways, the program will not have to be financed on a deficit basis.

Mr. DANIEL. I was hoping the Senator from Tennessee had some anticipation that additional revenues would be raised so that this program will not be financed on a deficit basis.

Mr. ROBERTSON. Mr. President, I yield myself 1 minute.

Mr. President, the Senator from Tennessee has used as many words as Mr. Simms did in drafting my amendment. The Senator from Tennessee has used all those words to put us on notice that if my amendment goes into effect, he will expect that the money will be forthcoming, regardless of whether taxes are raised.

Mr. KNOWLAND. Mr. President, will the Senator from Virginia yield to me?

Mr. ROBERTSON. I yield.

Mr. KNOWLAND. Will the Senator yield to me long enough to enable me to request the yeas and nays on the question of agreeing to his amendment?

Mr. ROBERTSON. I yield for that purpose.

Mr. KNOWLAND. Then, Mr. President, I ask for the yeas and nays on the pending question.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. CAPEHART. Mr. President—

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Indiana.

Mr. CAPEHART. Mr. President, I doubt very much that I shall be able to explain what I am thinking. [Laughter.]

I merely wish to say that tonight I have a kind of empty feeling; I feel a little as I used to when I was a youngster, and when my father gave me a quarter to spend at the ice cream social, and when I spent all of it on pop before I got around to the ice cream. [Laughter.]

Tonight, we are debating as to whether we have sufficient funds with which to build some roads, and whether we should pay as we go or whether we should increase the debt.

Mr. President, we certainly need roads very, very badly. So I am wondering what we have been doing with the billions and billions and billions of dollars which have been expended during the past 20 years. We ran up a debt of \$280 billion buying things that we did not have. Otherwise we would not have a debt of \$280 billion. I do not know how many billions of dollars of debt the American people have, represented by the purchase of automobiles, houses, and so forth. If we need these roads so badly, I am wondering whether perhaps we could get some kind of aid from foreign countries to which we have been giving many billions of dollars over the years. Which country do Senators suppose would come to our rescue here tonight?

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. GOLDWATER. I might suggest England. England has been able to reduce her taxes because of our generosity.

Mr. CAPEHART. Which country will come to our aid? We have been helping other countries for years. I am not criticizing that program. I am not standing here for that purpose. But I feel a sort of emptiness. We need roads very badly, and we have a \$280 billion debt. In addition, the American people are in debt to the tune of many billions of dollars. What are we going to do?

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. BENNETT. The Senator from Utah would like to suggest Finland, which seems to be a country which can fulfill its obligations.

Mr. CAPEHART. Perhaps we had better adjourn and get in touch with Finland, and see if she will come to our rescue.

What are we going to do? We need these roads, and we need them badly. This great Nation of ours has been built on the basis of what I call installment buying, going into debt. That is what we do in business.

The PRESIDING OFFICER. The time of the Senator from Indiana has expired.

Mr. CAPEHART. Mr. President, may I have another 2 minutes?

Mr. JOHNSON of Texas. Mr. President, I yield 2 additional minutes to the Senator from Indiana.

Mr. CAPEHART. We go in debt. We sell a bond issue if we wish to expand our factories, or we borrow money. We need roads badly. Are we going to go in debt for them? Are we going to build the roads and pay for them over the years, as we buy automobiles and pay for them over the months? Are we going to pay for them as we buy other things and pay for them over the months, or are we going to say, "We will not have any new roads until we get the money in the bank"?

If that is our philosophy, if that is what we believe in for the American people, let us apply the same philosophy to foreign aid, and everything else for which we appropriate money, except for national defense, meaning the defense of continental United States.

That is the problem which is facing us tonight. The whole problem leaves me feeling a little empty. What is it all about? Either we need roads or we do not need them. I think we need them; and we shall need them to a greater extent 6 months or a year from now than we do now.

I rather like the administration bill, the bill introduced by the Senator from Pennsylvania [Mr. MARTIN], for the simple reason that it is a program based upon selling bonds, going in debt for the program, and paying it off out of taxes or out of earnings. That is what we have been doing for years. That is what a businessman does. That is what an individual does. What is wrong with it?

Let us get on with the business of building roads.

Mr. ANDERSON, Mr. LONG, and Mr. LANGER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Indiana yield; and if so, to whom?

Mr. CAPEHART. I yield first to the Senator from New Mexico. Then I shall yield to the Senator from Louisiana, and then the Senator from North Dakota.

Mr. ANDERSON. Mr. President, I have been listening to what the Senator has said. Did not his State bond itself to build roads? Did it wait until it had the cash in the treasury? Did not almost every State in the Union, with the one possible exception, bond itself to build roads?

Mr. CAPEHART. I must be factual. The constitution of the State of Indiana prohibits the State from going into debt. We pay as we go.

The PRESIDING OFFICER. The time of the Senator from Indiana has expired.

Mr. CAPEHART. Mr. President, may I have 2 more minutes? Perhaps it will require longer than I thought to say what I wanted to say.

Mr. JOHNSON of Texas. Mr. President, how much additional time does the Senator wish?

Mr. CAPEHART. Perhaps 5 minutes, if I am not asked too many questions.

Mr. JOHNSON of Texas. I yield 5 additional minutes to the Senator from Indiana.

Mr. CAPEHART. We recently put out a bond issue of \$260 million for toll roads.

Mr. LONG. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. LONG. If we are to put everything on a pay-as-you-go basis, why not start with first things first? From my point of view, I should like to start on a pay-as-you-go basis with foreign aid. The first time we have a surplus, we can give it away in foreign aid. But if we are to operate upon a pay-as-you-go basis, let us get first the things we need most. Let us put the things we need the least upon a pay-as-you-go basis.

Mr. CAPEHART. Which do we need first, and which do we need second?

Mr. LONG. It seems to me that we need highways.

Mr. CAPEHART. That is my opinion. That is why this whole business leaves me a little empty. Are we coming to the time when some of the other countries must start an aid program for us?

Mr. LANGER. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. LANGER. I was very much interested in what the distinguished Senator had to say about installment buying. My suggestion is that there are many things which we do not need. I think we ought to start with the Capehart music boxes. [Laughter.]

Mr. MALONE. Mr. President, will the Senator yield?

Mr. CAPEHART. Mr. President, no Member of the United States Senate is quite so unpredictable as the able Senator from North Dakota. [Laughter.]

I yield to the Senator from Nevada.

Mr. MALONE. What would be the matter with transferring to the road fund the \$9 billion which is now available to send to foreign nations of the world?

Mr. CAPEHART. I do not know. All I know is that I feel a little empty here tonight.

Mr. MALONE. Mr. President, if the Senator will further yield, if we continue to support all the other nations of the world, we shall indeed be empty.

In the Senate Finance Committee we are continually being importuned to raise the debt limit in order to enable us to give more money to foreign nations. Why would it not be possible to amend this bill so as to take the \$3½ or \$4 billion proposed for Asia and build a few roads for our folks at home to use?

Mr. CAPEHART. It certainly would be in line with my philosophy over the past 10 years.

Mr. GORE. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. GORE. If the Senate in its wisdom should wish to tie highway improvement to road user taxes, then surely this amendment would not accomplish it. It does not include a tax on automobile tires, on automobiles, or buses, or on trucks or parts. So far as I know, it does not include lubricating oil.

If the Senate really wishes to tie highway improvement to highway user taxes, then surely it would wish to go further than this amendment goes. We began this work in February. We have now reached the point where we are considering an amendment which even the author says he does not understand. Is the United States Senate to act on that basis?

Mr. CAPEHART. Mr. President, I am not the author of the amendment. The able junior Senator from Virginia [Mr. ROBERTSON] is the author of the amendment.

To repeat, I feel a little like the boy who spent his quarter for soda pop and did not have any money left with which to buy ice cream.

Mr. JOHNSON of Texas. Mr. President, I yield such time as he may require to the junior Senator from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. Mr. President, I am prompted to say a word in comment on the inquiry made by the Senator from Texas [Mr. DANIEL] and the Senator from Tennessee [Mr. GORE] as to whether they or other Senators would be morally or otherwise obligated to vote for appropriations hereafter merely because we might authorize them in this bill.

From time immemorial Congress has authorized the appropriation of money for specific purposes, which was never appropriated. It always depends upon the conditions which exist when the appropriation measure itself is brought before the Senate or the House. In my judgment, based upon our experience and customs, there is no moral or legislative obligation on the part of any Senator who votes for an authorization to vote for the full appropriation, or any part

of it, when the appropriation measure later comes before the Committee on Appropriations or the Senate.

Mr. DANIEL. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. DANIEL. I thank the Senator for his statement. As I understand him, if the junior Senator from Texas votes for this authorization, and then a sufficient tax is not hereafter levied to provide the additional amount of money, there will be no obligation to vote for the future appropriations when they come before us.

Mr. BARKLEY. For that reason or for any other reason that appealed to the junior Senator from Texas, he would not be obligated to vote for the appropriation.

I have a few additional words to say on this subject. So far as I am personally concerned, I have been interested in highways all my life. I had the honor of helping to pass the original Highway Act in 1916, as a Member of the House of Representatives. Never during the entire period of nearly 40 years have we provided in any road bill that the money appropriated for the building of the highways, in full cooperation with the States, would have to be in the Treasury before the roads could be built.

If we do that with respect to highways now, we will be confronted with the same situation a little later. Soon we will have a housing bill before the Senate for consideration. It will be before us in a few days. If we follow the suggested course in connection with the highway bill, we may be justified in doing the same thing in the housing bill. We will have other appropriation bills to consider very shortly. In my judgment, if we set the precedent now of requiring that before these roads can be built the money must be in the Treasury from the sources from which it is to be raised before the money can be spent for the building of the roads, we will find ourselves woefully embarrassed in the years to come in our efforts to improve this country.

So far as I am concerned, I would vote today for a tax sufficient to build the roads. However, the Senate cannot originate revenue laws. It cannot originate tax laws. I do not know what the House will do. In this bill or in any other bill it could add a tax of some kind for the purpose of raising the money with which to build the highways. Whether the House will do that or not, I do not know. Obviously and certainly the Senate cannot do it. I would be willing to vote for such a tax, even though we are not able to do it now. I would be willing to vote for a tax of that kind. I do not know yet how much the tax should be, because it has not been worked out even in my own mind. However, I would be willing to vote for a tax which would pay for the roads to the extent of the 90 percent the Federal Government would contribute toward their construction.

I assume—and I believe we have the right to assume—that Congress will be

wise enough and provident enough to provide the revenue for the construction of these highways if and when Congress has authorized their construction under the pending bill, or under any other bill Congress may enact. I believe Congress will be provident in that regard, although we are helpless to do anything about it now. I hope we can do it, and that we will do it. If in this highway-construction bill, for the first time in nearly 40 years of Government cooperation in the building of roads, we adopt the pending amendment, we will be embarrassed hereafter in every appropriation we may make for any good cause, whether it be cancer, polio, or any other desirable purpose, when such a proposal is offered.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. ROBERTSON. Is it not a fact that we have a general law on the books which authorizes the Government to make allocations to the States and authorizes road construction money a year before the appropriation is made; and is it not a fact that the States enter into contracts and then come before the Appropriations Committee and say "You cannot deny us these funds because they have already been allocated"?

Mr. BARKLEY. They may come before the committee and say that, but the Senator knows that we can deny it if we want to deny it.

Mr. ROBERTSON. We have never been able to do so in the past, because the money is allocated a year in advance.

Mr. BARKLEY. But the Committee on Appropriations has the right to deny an appropriation if it sees fit to do so.

It has not adopted the policy of complying with the requests for allocations every year they have been made.

Mr. President, that is all I wish to say. I think it would be unwise to adopt the amendment, and I shall vote against it.

Mr. JOHNSON of Texas. Mr. President, I yield 5 minutes to the Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CASE of South Dakota. Is it in order for me to take the chart I have with me to the front of the Chamber, or to the well, so to speak, and to use it to illustrate what I have to say?

The PRESIDING OFFICER. The Senator may place the chart anywhere in the Chamber he wishes to place it.

Mr. CASE of South Dakota. I should like to have the attention of the Members of the Senate as I use this chart in the front of the Chamber. I have read the amendment very carefully and I have consulted Mr. Simms, of the Legislative Counsel's office, and he agrees with my interpretation of the amendment. If I am not correct about it, I wish to be corrected. The chart shows the funds under the various acts and bills.

The chart is as follows:

Comparison of road funds
(In millions of dollars)

System	Fiscal 1954-55 (act of 1952)	Fiscal 1956-57 (act of 1954)	S. 1048 (as amended)	S. 1160
Primary.....	\$247.5	\$315	\$400	\$315
Secondary.....	165.0	210	300	210
Urban.....	137.5	175	200	75
Subtotal.....	550.0	700	900	600
Interstate.....	25.0	175	1,000 1,250 1,500 2,000 2,000	2,500
Total.....	575.0	875	2,500	3,100
Interstate matching	50-50	60-40	90-10	95-5

The first column shows the apportionment for primary, secondary, and urban roads under existing law, which will expire on the 30th of June. The second column shows apportionment under the law which goes into effect in the next fiscal year. The next column shows the apportionment under S. 1048, the bill we are considering. That bill proposes a total of \$900 million for the normal category of roads—primary, secondary, and urban—plus \$1 billion for the first year for the interstate system, or a total of \$1,900,000,000. What the amendment means is that if not enough money is realized from the taxes to equal \$1,900,000,000, a pro-rata cut would be made not merely in the \$1 billion for the interstate system, but the cut would be prorated also on the primary, secondary, and urban systems.

Actually, the gasoline or motor fuel tax produces between \$900 million and \$1 billion.

Under the Gore bill providing \$1 billion for interstate roads, plus \$900 million for the other categories, the total would be \$1,900,000,000. Half of that would be \$950 million. If we should reduce that on a pro-rata basis, we would cut the money for the primary, secondary, and urban system exactly in half.

Therefore, we would have less for the primary, secondary, and urban systems than we had under the 1952 act, because the amount for the primary system would go down to \$200 million, whereas last year it received \$240,700,000. The amount for the secondary system would be cut to \$150 million, which is less than the \$165 million of last year.

The amount for urban roads would go down to \$100 million, which is less than the \$137 million under last year's act.

In the meantime, the State legislatures have gone ahead on the basis of the 1954 act. They are planning on the basis of the 1954 act. They have made arrangements to match \$315 million for the primary system. If we cut the \$400 million in half, we would have only \$200 million for the primary system, whereas the legislatures are proceeding on the basis of \$315 million.

We would cut the secondary road plan to \$150 million, whereas the States are already prepared to match on the basis of \$210 million.

The reason is that we are introducing a new factor which boosts the amount for the interstate from \$175 million to \$1 billion, and we let the interstate take half of all the proceeds.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield. Mr. ANDERSON. My State is in the process of authorizing a \$20-million bond issue on the basis of the figure the Senator from South Dakota has used in the second column, namely, \$210 million. I am very much interested in the explanation, because it makes sense to me. It would be possible to throw the money into the interstate system and wreck the whole primary system and the secondary system and urban system. Is that correct?

Mr. CASE of South Dakota. If the tax revenues amount to only 50 percent of the authorization and the taxes are not changed, 50 percent of the revenue would be thrown into the interstate system, boosting it to \$500 million, whereas it is \$175 million under existing law. The farm-to-market road amount would be cut in two. Therefore, the proposal would add less than is provided under present law.

If we want an adverse reaction in the farming communities we should adopt the amendment.

I am in favor of the pay-as-you-go principle. I offered an amendment earlier today along that line. I wish some of the Members who are in the Chamber now had been present when I offered the amendment. I proposed to apply a stamp use fee on the interstate system, which would have produced \$700 million additional and would have authorized a larger program. I postponed the effective date of the authorization, but limited it to the authorization created by this act. I did not disturb the program which was already authorized and on the basis of which the State legislatures have been taking their action.

Mr. ROBERTSON. Mr. President, will the Senator from South Dakota yield?

Mr. CASE of South Dakota. I yield.

Mr. ROBERTSON. Do I correctly understand that Mr. Simms, who put this amendment in technical form, has informed the Senator that it would cut the regular highway program below what it would otherwise have been?

Mr. CASE of South Dakota. That is correct. Mr. Simms is on the floor. I was talking with him a few minutes ago. I asked him if it would cut them all pro rata, and that was the impression he gave me.

Mr. ROBERTSON. Mr. President, this amendment was hurriedly prepared this afternoon when I was worried about the possibility that we might go \$7 billion in the red.

The PRESIDING OFFICER (Mr. ERVIN in the chair). The time of the Senator has expired.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that the chart which I used for illustrating my remarks may be printed in the RECORD at the point where I referred to it, so

that my references by columns will be intelligible in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTSON. Mr. President, I did not intend this amendment to mean what it is now said to mean. Certainly, I do not want to hurt the regular program. So, in the light of the explanation which has been given of what this amendment would really do, I ask unanimous consent to withdraw it.

Mr. RUSSELL. Mr. President, reserving the right to object—and I shall not object—I wish to observe that this is an admission in open court that Congress had no way in the world of raising the funds, and the program would be paid for by deficit financing.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from Virginia is withdrawn.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from Connecticut [Mr. BUSH].

Mr. BUSH. Mr. President, I move that the pending measure be recommitted for further study by the committee.

Mr. KNOWLAND. Mr. President, on that question I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Connecticut that the bill be recommitted for further study by the committee. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Montana [Mr. MURRAY] is absent by leave of the Senate to attend the International Labor Organization meeting in Geneva, Switzerland.

The Senator from Alabama [Mr. HILL] and the Senator from Tennessee [Mr. KEFAUVER] are absent on official business.

The Senator from Alabama [Mr. HILL] is paired with the Senator from Kansas [Mr. CARLSON]. If present and voting, the Senator from Alabama [Mr. HILL] would vote "nay" and the Senator from Kansas [Mr. CARLSON] would vote "yea."

The Senator from Tennessee [Mr. KEFAUVER] is paired with the Senator from Wisconsin [Mr. MCCARTHY]. If present and voting, the Senator from Tennessee [Mr. KEFAUVER] would vote "nay" and the Senator from Wisconsin [Mr. MCCARTHY] would vote "yea."

The Senator from Montana [Mr. MURRAY] is paired with the Senator from New York [Mr. IVES]. If present and voting, the Senator from Montana [Mr. MURRAY] would vote "nay" and the Senator from New York [Mr. IVES] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from New York [Mr. IVES], and the Senator from Wisconsin [Mr. MCCARTHY] are absent on official business.

I also announce that the Senator from Wisconsin [Mr. WILEY] is necessarily absent.

On this vote the Senator from Kansas [Mr. CARLSON] is paired with the Senator from Alabama [Mr. HILL]. If present and voting, the Senator from Kansas would vote "yea" and the Senator from Alabama would vote "nay."

On this vote the Senator from New York [Mr. IVES] is paired with the Senator from Montana [Mr. MURRAY]. If present and voting, the Senator from New York would vote "yea" and the Senator from Montana would vote "nay."

On this vote the Senator from Wisconsin [Mr. MCCARTHY] is paired with the Senator from Tennessee [Mr. KEFAUVER]. If present and voting, the Senator from Wisconsin would vote "yea" and the Senator from Tennessee would vote "nay."

The result was announced—yeas 39, nays 50, as follows:

YEAS—39

Allott	Dirksen	Millikin
Barrett	Duff	Mundt
Beall	Dworshak	Payne
Bender	Flanders	Potter
Bennett	Goldwater	Purtell
Bricker	Hickenlooper	Saltonstall
Bridges	Hruska	Schoeppel
Bush	Jenner	Smith, Maine
Butler	Knowland	Smith, N. J.
Capehart	Kuchel	Thye
Case, N. J.	Malone	Watkins
Cotton	Martin, Iowa	Welker
Curtis	Martin, Pa.	Williams

NAYS—50

Alken	Green	McNamara
Anderson	Hayden	Monroney
Barkley	Hennings	Morse
Bible	Holland	Neely
Byrd	Humphrey	Neuberger
Case, S. Dak.	Jackson	O'Mahoney
Chavez	Johnson, Tex.	Pastore
Clements	Johnston, S. C.	Robertson
Daniel	Kennedy	Russell
Douglas	Kerr	Scott
Eastland	Kilgore	Smathers
Ellender	Langer	Sparkman
Ervin	Lehman	Stennis
Frear	Long	Symington
Fulbright	Magnuson	Thurmond
George	Mansfield	Young
Gore	McClellan	

NOT VOTING—7

Carlson	Kefauver	Wiley
Hill	McCarthy	
Ives	Murray	

So the motion of Mr. BUSH to recommend the bill for further study was not agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HOLLAND. Mr. President, I call up my amendment designated "5-24-55e." I modify the amendment in line 4 by striking out "thirty-six" and inserting in lieu thereof "thirty."

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Florida.

The CHIEF CLERK. On page 18, line 2, immediately after the period it is proposed to insert the following:

The amendment made by the first sentence of this section shall not become effective until the President proclaims that at least thirty thousand miles of the National System of Interstate Highways have been constructed, reconstructed, or improved in accordance with standards which in his opinion are adequate.

Mr. HOLLAND. Mr. President, the provision of the bill toward which this amendment is directed is the one which would raise the mileage of the interstate

system from 40,000, as was designated in 1944, to 42,500. Already several bills have been offered for the designation of new sections of mileage on the interstate system, so we have that warning.

It should be realized that with the 90-percent-10-percent program which has been offered every ambitious area in the Nation which is not near or on the interstate system will ask to be placed on it.

We have had some good experience in this matter in that when the primary aid system was set up a similar provision was enacted after the system had been in effect only a few years. That enactment was in the year 1932 and is now found in section 304 of the code. It provides that until the primary aid system as set up in any State has been constructed, or 90 percent of it has been either completed or its construction completely arranged for, no further mileage can be added.

From some personal experience in how eager can be the efforts of communities to get onto the primary road system, even though it is only a 50-50 system, I think I know how the pressure could be exerted upon Congress to add new mileage to the interstate system when the arrangement is on a 90-percent Federal and a 10-percent State matching basis.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. KILGORE. Does the Senator from Florida realize that West Virginia is the gateway to the Southeast? All the heavy truck traffic from the Great Lakes area travels over the roads of West Virginia. It has almost made a wreck of the West Virginia Roads Commission, which has been trying to keep the highways of the State in repair, simply to accommodate that truck traffic, none of which pays a gasoline tax of a single cent in West Virginia. I wonder if the Senator realized that.

I know the Senator comes from a State which used to control—I do not know whether it does now—heavy truck traffic in Florida. I wonder if the Senator from Florida realizes how West Virginia, with its tremendous, expensive road network, suffers from the heavy truck traffic which moves through the State from as far west as Chicago, from the Great Lakes region, and from as far east as Buffalo to the Southeast. It affects the tire industry, the cotton industry, and all related industries.

Would the Senator from Florida be willing to comment on that?

Mr. HOLLAND. Yes; I know about that situation. I sympathize with those who are affected by it, and hope that the bill, if passed in reasonable form, will very quickly bring relief.

Mr. President, the purpose of my amendment as originally drawn was to place the interstate system under the 90-percent completion requirement which has operated so effectively during so many years for the primary road system.

I think every Senator who has served as a governor, and every Senator who has been a Member of the Senate for any period of time, knows perfectly well of

the tremendous ambition on the part of many cities to become connected with the interstate road system.

It has been a perfect, complete, and fair answer at all times to say that until the originally designated system was 90-percent complete under the law, we were not in a position to add mileage.

There was opposition to the proposed amendment because 2 or 3 State capitals are not now traversed by a segment of the interstate system.

So on submitting the matter to the Senator from South Dakota [Mr. CASE], with whom I conferred on the question, as I did also with the Senator from Tennessee [Mr. GORE] and the Senator from Oklahoma [Mr. KERR], I received a counter suggestion that, instead of requiring 90-percent completion as a condition to the adding of mileage, only 75-percent completion or arrangement for completion be insisted upon as a reasonable condition. I have consequently amended or modified the original amendment to accomplish that result.

We know perfectly well the kinds of pressures to which we shall be subjected. We know that already there is unallocated about 2,500 miles of the 40,000 miles, which I think is much more than ample to meet the needs of State capitals which are not yet touched by the interstate system.

I hope the Senate will think that it is appropriate to take a stitch in time now, to prevent the driving force of many communities—and I have already been subjected to it from my State—to have new mileage placed on the interstate system.

If Senators will look at the map, they will observe that in Florida there is no connection to the interstate system between Orlando and Miami or between Tampa and Miami. I think almost all Senators understand something about the size, ambition, aggressiveness, and progressiveness of those cities. I wish they could have immediately extensions to the interstate system; but I know perfectly well that if some sort of controls of this kind are not imposed, the entire system under which we are committing ourselves so tremendously to provide so much money will grow out of reason, and will be subject to collapse before it really gets well started.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. WATKINS. Would not the Senator's amendment prevent the placing on the interstate system of the cities of Salt Lake and Denver?

Mr. HOLLAND. It would not. There are 2,400 miles of unallocated highway in the authorization of 40,000 miles. There would be no reason at all why a portion of the 2,400 miles could not be so used.

Mr. WATKINS. There is nothing in the law to indicate that all State capitals must be connected before other cities are placed in the system, is there?

Mr. HOLLAND. I am unable to answer that question, but I remember that one of the objectives recited in the original law in 1944 is to connect State capi-

tals. Perhaps that statement is in the report. I do not recall.

It would be my thought that the 2,400 miles which are now available would fully meet the undoubted need which exists in the cases which the Senator from Utah has mentioned, and one other case of the same kind which urgently needs attention.

I call attention to the fact that there is no connection between the capital of the great State of Georgia, the State just immediately north of Florida, and our capital, Tallahassee. At the same time there is an interstate system road going through each of those two good cities. I certainly want to have the type of change made to which the Senator from Utah has referred.

Mr. President, that can be done easily by use of the unallocated mileage, 2,400, which is left. Two thousand five hundred miles are proposed to be added. I am reluctant to see any mileage added by the bill, because that will mean that before we really get started on the program 2,500 miles of highly expensive road will be added to a program set up 11 years ago, and on which we have hardly started.

I think that addition would be an open invitation to pressure and serious trouble if we did not enact some such protection as I have proposed. If there is a better proposal, I shall gladly yield to a better suggestion; but it seems to me if we proceed along the line in which we have been very successful in providing for primary roads, although here we would be providing 75 percent instead of 90 percent, we would be putting safeguards around the program which would be worth while.

Mr. WATKINS. Does not the Senator believe it would be very difficult to get the capitals of Georgia and Florida and the capitals of Colorado and Utah connected if all the pressure to which the Senator has referred exists with respect to the highway system?

Mr. HOLLAND. There is no pressure existing on the question of connecting the capitals of Georgia and Florida, because they are traversed by one of the highways. We recognize that is not the fact in some other States, and I think they should come first. But this will be a Pandora's box of very grave consequences unless we provide some sort of safeguard which will protect not only the program and its integrity, but Representatives and Senators, from pressure of a type to which we have never been subjected before, because we have never had constructed any 90-10 percent Federal roads. Senators have not heard of any pressure in the past which will be comparable to what they will be confronted with in the future if safeguards are not put into the program.

Mr. WATKINS. Does not the Senator agree there ought to be something in his amendment which would require that the State capitals should be connected, before the provision he suggests would go into effect?

Mr. HOLLAND. No. The Senator from Florida does not feel he should try to say where this mileage should be put. He has said for the record, and he says

now to his friend from Utah, he thinks the Senator from Utah has made a legitimate case in requesting, or insisting, that the authorities use some of 2,400 miles of unallocated roads to meet the situation which exists in his State.

Mr. WATKINS. What chance would the State have to get a share against pressure from all over the United States?

Mr. HOLLAND. I think the very fact that State capitals in the Senator's area are unconnected and without proper roads puts them in a class by themselves. So far as the Senator from Florida is concerned, he has said he thinks the Senator from Utah does have a case which is entitled to be heard, and which he hopes will be heard, but he does not think we ought to put ourselves into the business of stating where roads are going to be constructed. If we did that we would have no end of troubles, because communities would be asking Senators to submit amendments. I do not propose to submit such amendments, because I think we have got to make a start on the program and make real progress.

Mr. WATKINS. Does not the bill set up certain standards which are just as specific as the suggestion just made by the Senator?

Mr. HOLLAND. The proposed law had as one of its inducements—whether it is contained in the report I cannot recall; perhaps the Senator from Tennessee can remind the Senator of that—a statement that one of the purposes of the bill was to enable highway connection to be made between capitals of various States.

The Senator from Tennessee [Mr. GORE] is nodding his head. Perhaps he may remember where the provision is to be found. I do not remember.

Mr. President, I yield, without losing my right to the floor, to enable the Senator from Tennessee to inform the Senate on that point.

Mr. GORE. Mr. President, I cannot give the specific citation of where that statement of purpose is to be found. It may be in the committee report rather than in the bill itself.

Mr. HOLLAND. It is in either the report or the bill itself; is it not?

Mr. GORE. Yes.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Illinois.

Mr. DOUGLAS. I should like to ask the Senator from Florida why, in order to have an adequate system of interstate highways, it is necessary to prescribe that State capitals shall be interconnected. The locations of many State capitals, as a result of historical accident, are removed from the main centers of population. They are not in direct line between important cities. In many cases this requirement or recommendation would simply mean that there would be constructed many hundreds of miles of additional roads for very little practical purpose. It would seem to me that the suggestion which the Senator from Florida has made is an impractical one. If it is desired that State capitals be connected by an interstate system of highways, let that be done on a 50-50 basis, the States bearing half the cost.

But why the Federal Government should bear 90 percent of the cost to interconnect State capitals is personally beyond my comprehension.

Mr. HOLLAND. The Senator from Florida will simply answer by stating it to be his definite understanding that such a purpose was stated as a matter of inducement either in the original legislation in 1944 or in the committee report. I think the Senator from Tennessee is probably completely correct in his statement that he thinks it is in the report. But that was one of the purposes for setting up the interstate system.

There had been a strategic military network set up during World War II, and the mileage contemplated in it was a great deal larger than the mileage of 40,000. The President created a commission to study the matter. State highway officials studied the matter. There was a long study made by congressional committees. As a result, and in an effort to have a highly improved and very fine system of interstate highways, a measure was passed in, I think, 1944—it may have been as late as 1946—which contained—it was either in the act itself or in the report—the statement that one of the purposes of the law was to provide highway connection to each State capital in the Nation. At any rate, that is so nearly accomplished that I understand the construction of two more roads, not particularly long ones, is all that is necessary. There is adequate mileage in the 40,000-mile system to accomplish the purpose.

My amendment is designed to prevent the allocation of the added 2,500 miles unless there is some reasonable standard of completion in the program.

Unless we propose to have some such safeguard, we will be opening a grab bag the like of which I think will not be offered to lively, ambitious communities in the United States for a long, long time to come.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. BARKLEY. I have heard the amendment read, and I have gone to the desk and read it again. I do not see how the amendment would keep down the pressures which the Senator has mentioned. We are all subject to pressures, and would be subject to pressures under a provision for 30,000 miles as well as we would be under a provision for 42,500 miles. Wherein does the amendment relieve us of such pressures?

Mr. HOLLAND. The original bill provides for 40,000 miles. All of it but approximately 2,400 or 2,500 miles has been allocated, and that will be available for use in accomplishing the original purpose, as announced at the time of the original act. In fact, it will go further; it will accomplish some circumferential construction around some of the large cities, which is contemplated as one of the things to be done under the interstate system.

But the adding of 2,500 miles and the introduction now of several bills requesting the designation of certain highways from point A to point B as part of

the interstate system give us ample notice of what we may expect.

The purpose of the amendment is to protect us, in the case of the 2,500 miles, against any demands for its allocation until there has been reasonable completion of the original program.

Mr. BARKLEY. Mr. President, I appreciate the point the Senator from Florida makes; but one of the penalties we suffer in serving in the Senate is that we must become the victims of pressure. I think most of us know how to handle such pressure. We do it by advising the people at home of the facts in the cases or problems which confront us.

Of course, Senators are supposed to have influence with the executive departments, but we do not have as much influence with them as some persons think we have. I have had that experience over the years.

Mr. HOLLAND. I thank the Senator from Kentucky. He was a Member of the Senate at the time when the Senate adopted the very wise system that provision must be made for the construction of 90 percent of the primary system in each State, before any additional mileage can be added in the States.

Mr. BARKLEY. At that time I was supposed to be mature, but now I am a very junior Senator. [Laughter.]

Mr. HOLLAND. I thank the Senator from Kentucky, but I think he is as able now to resist strong pressure as he was then. And I believe that he will see that, after all, we shall be confronted with enormous pressure; and we shall save ourselves a great deal of time and we shall be able to avoid a great deal of pressure and shall avoid disappointing a great many ambitious communities all over the Nation, if we resist the pressure now, before we are asked to provide for additional or new mileage.

Mr. WATKINS. Mr. President, will the Senator from Florida yield to me?

The PRESIDING OFFICER (Mr. EAVIN in the chair). Does the Senator from Florida yield to the Senator from Utah?

Mr. HOLLAND. I yield.

Mr. WATKINS. I desire to call attention to the 1944 act, which provides in part as follows:

There shall be designated within the continental United States a national system of interstate highways not exceeding 40,000 miles in total extent, so located as to connect by routes, as direct as practicable, the principal metropolitan areas, cities, and industrial centers, to serve the national defense, and to connect at suitable border points with routes of continental importance in the Dominion of Canada and the Republic of Mexico.

I point out that, notwithstanding that provision, the State capital of Utah and the State capital of Colorado, although both are located in strategic areas, with heavy defense installations in both of them, are not connected by highway. Even though that act had been in effect, those capitals have never been connected, and although it makes provision for the 40,000 miles, the Senator from Florida now wishes to reduce the total to 30,000 miles.

Mr. HOLLAND. No, Mr. President; I do not wish to have that done. I know

the 40,000 miles are already provided for, and I know that 2,400 or 2,500 miles of it are still unallocated. I also know that by means of the pending bill it is proposed to add 2,500 miles more. I insist that the allocations needed in order to complete the original program be made from the 2,500 miles; and I insist, further, that we make no effort to parcel out the additional 2,500 miles until we get the program at least 75 percent complete.

Mr. WATKINS. Is not the amendment of the Senator from Florida intended to defeat the committee amendment which includes the 2,500 miles?

Mr. HOLLAND. It is not; my amendment would leave in the bill the provision for the 2,500 miles.

Mr. WATKINS. It seems to me that the practical effect of the amendment of the Senator from Florida will be as I have stated, and that it will have that result.

Mr. HOLLAND. No; it will not. My amendment was submitted to the committee, which was agreeable to having this change made; and the committee felt that there is need for protection against the tremendous demands for the designation as parts of the interstate system of new highways in various parts of the Nation.

The amendment will give us a little time in which to see where such extensions are needed; but in the meantime the amendment will give the Senator from Utah full opportunity to have the allocation he desires, in the case of the original 40,000 miles, made out of the unallocated 2,400 or 2,500 miles.

Mr. MILLIKIN. Mr. President, will the Senator from Florida yield to me?

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). Does the Senator from Florida yield to the Senator from Colorado?

Mr. HOLLAND. I yield.

Mr. MILLIKIN. It would seem to be a rather miraculous thing if the wise men could have sat around a table in 1944 and could have arrived at a road system and program which would be impeccable even to this day, as well as for all time to come.

I think the committee has been very wise in allowing a reserve fund, we might say, in order to accommodate the changes which will be required by the passage of time. Colorado and Utah, as the Senator from Utah has said, have become great strategic areas since that time; and today the road problem is not at all the same as it was in 1944.

In taking a fresh look at the problem, as of today, it would seem inconceivable that we would do anything to prevent the construction of a national road across the mountains from Salt Lake City to Denver. The Colorado Legislature is so much of that mind that it has appropriated money, at the expense of the State of Colorado, for the building of a road there.

I believe it would be a serious mistake to provide now that we must abide by the wisdom of those who served in the Congress in 1944, and that at this time we must strike out the allowance which

has been provided by the wise members of the present committee to take care of this situation.

I state frankly that I do not doubt there will be some pressure.

Mr. HOLLAND. I am sorry the Senator from Colorado did not hear the earlier discussion.

Mr. MILLIKIN. I tried to hear it.

Mr. HOLLAND. There is no intention to strike out provision for the 2,500 additional miles. On the contrary, such provision will be left in the bill. There is no intention to prevent the assignment to the State of Colorado and to the State of Utah of sufficient mileage from the unallocated 2,400 miles to enable their very justifiable demand to be met.

In my opinion, they have a very justifiable demand, which should be met, and can be met, from the 2,400 miles which are unallocated.

The amendment simply seeks to prevent any scramble for the allocation of the added 2,500 miles, which will be in addition to the 40,000 miles, until some progress has been made toward completion of this program.

In regard to the amendment, I say again to my friend the Senator from Colorado that I am simply drawing on the experience of the Congress, which has had such fine results from the provisions of the original law. My recollection is that it was passed at the suggestion of the Senator from Arizona [Mr. HAYDEN] and Mr. Cartwright.

At any rate, it provides that until the primary road system in any State is 90 percent completed or until its financing and construction are completely provided for, no new mileage may be added. That arrangement has given great satisfaction and has allowed for the regular and reasonable development of the primary road aid structure in each of the States, and that is the kind of development which will be made in this case.

If no mileage remaining from the 40,000 had been available for distribution, I would not have submitted my amendment, because I knew of the ambition—and it is a legitimate one, I believe—of the Senator from Colorado and his colleague and of the Senator from Utah and his colleague, in regard to the matter they have just been discussing. But from the original 40,000 miles there remains ample mileage to take care of their situation.

I say to the Senator from Colorado that the interstate system, as it now exists, was not passed upon or drawn up by the committee in 1944. It was turned over to the experts and the representatives of the Defense Establishment and the Bureau of Public Roads and the State commissioners, for all of them to get together and outline it; and from time to time it has been added to, until today the total is up to approximately 37,600 miles. Ample leeway is left in order to completely take care of the program the Senator from Colorado has in mind.

Mr. MILLIKIN. Mr. President, will the Senator from Florida yield to me?

Mr. HOLLAND. I yield.

Mr. MILLIKIN. It seems to me that the fact that the committee in its wisdom

has voted to add the extra mileage indicates that the opinion of the committee is that there is not enough leeway under the present mileage. It seems to me that is the best evidence we can have of that. I believe it would be tragic to eliminate that provision, because the committee had before it some picture, at least, of the various demands which will be made, and the committee has deliberately voted to add this mileage, in order to accommodate for them.

I take the liberty of saying to the senior Senator from Florida that I do not think we here can ever become so wise that, in passing upon matters which vitally affect our great country, whose importance is being magnified every day, we can draw a line on a map, and can say, "This is it. It shall never be deviated from; there shall be no change. This will be the permanent structure to which we shall build." As the Senator from Utah has pointed out, we have developed many war plants. We have developed strategic materials in that area of the country. I am speaking particularly of Utah and Colorado, and similarly situated States. Ten years ago no one could possibly have foreseen such development. Ten years ago there was a different conception about going through the Continental Divide. Today we have no fear of the Continental Divide. If we cannot go over it we will go through it. We are moving water through the Continental Divide. We are moving railroads through the Continental Divide. We go through the Continental Divide whenever it serves our economy to do so.

I hope the Senator from Florida will not persist in his amendment.

Mr. HOLLAND. Mr. President, Senators may vote against the amendment if they so desire. The Senator from Florida feels very strongly that it would be a mistake not to have any safeguard in this great program, a program that is far more expensive than any the Nation has ever undertaken, a program involving far greater participation by the Federal Government, in that it pays up to 90 percent of the cost. We would be most unwise if we did not place some safeguard around the adoption of grab-bag methods in parceling out the additional 2,500 miles.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. BUSH. I am sorry that I did not hear the earlier part of the Senator's remarks. Has the Senator consulted with the Bureau of Public Roads on his amendment, and does the Bureau of Public Roads support it?

Mr. HOLLAND. I have not consulted them. I have patterned the amendment after the law passed in 1932, which has been continuously in force since that time, relative to the primary aid system in every State. It has worked marvelously. It has worked to safeguard and protect the designation of the original primary aid section in each State, in that no additions could be made until after 90-percent completion was attained in each State. That has been a

safeguard and a balance wheel in connection with the entire primary aid system.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. ALLOTT. Is it not a fact that the Bureau of Public Roads has already allocated—not publicly, but actually, in the minds of its officials—this 2,400 miles for the use of circumferential highways around large cities, and for highways for defense evacuation?

Mr. HOLLAND. It has allocated a part of it, but I believe there is ample left to take care of the need which the Senator from Utah has in mind. Circumferential highways come second in the original report, after the program of connection of capitals.

If Senators do not wish to adopt my amendment, that is completely within their purview.

Mr. ALLOTT. Mr. President, will the Senator further yield?

Mr. HOLLAND. I yield.

Mr. ALLOTT. I wish to make the point that the 2,400 miles which the Senator says is still available, particularly to the States of Colorado and Utah, is actually not available, because the Bureau of Public Roads has already allocated that mileage for other uses. I know that actually it has not been publicly allocated, but in the minds of the officials of the Bureau of Public Roads it already has been allocated for the uses to which I have referred. I think the Senator will agree that that is true.

Mr. HOLLAND. I do not know that that is true. I have heard that they have had plans to allocate a part of it for circumferential roads. I would not have dreamed that 2,400 miles would be needed for circumferential roads.

Mr. GORE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. GORE. The senior Senator from Florida can rightfully be called the father of the interstate system of highways. I know that his amendment is entitled to careful consideration. Since the distinguished Senator left the Public Works Committee certain things have been transpiring before our committee with which he has not had an opportunity to become intimately acquainted.

The committee has been informed that the remainder of the undesignated interstate mileage has been reserved for urban development—not only circumferential roads, but interconnections and bypasses.

I am fully sympathetic with the objective the distinguished Senator from Florida has in mind. We had discussions in the committee, both in the hearings and in executive sessions, as to the effect of stepping up of the Federal contribution to 90 percent. It was felt that there would be terrific pressure to have this road, that road, or the other road designated. As one means of combating such pressure, I asked the Bureau of Public Roads, with the approval of the committee, to submit to the committee, with the specific approval of the Secretary of

of Commerce, the indexes, or criteria, which the Bureau of Public Roads would use in further designations. Those are to be found in the hearings.

We were also told that the 2,400 miles would not be sufficient to meet the needs for urban interconnections, bypasses, circumferential roads, or whatever they may be called. We were told that additional mileage would be necessary to meet the demands in that connection.

The committee could very well have increased the mileage to 48,000, with ample justification, but we tried to be conservative.

Again let me say that I am sympathetic with the desire of the Senator to throw around this program every safeguard. But I fear that he goes too far, because if all the 2,400 miles were allocated, and an additional 5 miles or 50 miles were needed for an interconnection around Richmond, Va., or St. Louis, Mo., or New York City, it could not be used, even though it had been authorized, until 30,000 miles had been brought to a complete state of adequacy.

I believe the Senator, as interested as he is in interstate highways, would not want to bring about such a result. As chairman of the subcommittee, let me say that I will work with the Senator when the bill goes to conference, and if we can throw any additional safeguards around the program without putting it into a straitjacket, I shall be very happy to cooperate with the Senator from Florida.

Mr. HOLLAND. I thank the distinguished chairman of the subcommittee.

Mr. President, I am ready for a vote on my amendment.

Mr. WATKINS. Mr. President, I should like 2 or 3 minutes.

Mr. JOHNSON of Texas. I yield 2 minutes to the Senator from Utah.

Mr. WATKINS. I merely wish to call attention to the fact, in addition to what has been said about the proposed connecting road between Denver and Salt Lake City, that if this amendment should prevail it would possibly postpone work on a highway of that kind, between Denver and Salt Lake City, even though it might finally be added to the interstate road system. In the event of war that would bring about a very serious situation. In those 2 communities, which are in a highly strategic location, there are ordnance depots, naval stores, Army stores, defense plants, and other activities. I think there are enough Government establishments in Denver so that it might truthfully be called the second capital of the United States.

If this amendment should be approved, requiring 30,000 miles actually to be constructed, it might postpone the projected road for 10 years. In that event, we could get it only if there were some money left from other programs.

I hope this amendment will be defeated.

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time.

Mr. HOLLAND. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. HOLLAND].

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. STENNIS. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Mississippi will be stated.

The CHIEF CLERK. On page 17, line 3, it is proposed to strike out subsection (d) and insert in lieu thereof the following:

(d) No more than 2 percent of any sum apportioned to any State for any fiscal year may be expended under the provisions of this section, and expenditures under this section from any such sum shall be made only with respect to utility relocations in connection with projects prosecuted by the use of such sum.

Mr. GORE. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield.

Mr. GORE. The amendment throws additional safeguards around the provision for reimbursement for relocation of utilities. It has been discussed with the minority and the majority. It is acceptable to the committee.

Mr. STENNIS. I thank the Senator. I submit the amendment on that statement.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). The question is on agreeing to the amendment offered by the Senator from Mississippi [Mr. STENNIS].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. JOHNSON of Texas. I yield 1 minute to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, I intended to make some remarks on the pending bill, S. 1048. However, because of the lateness of the hour, I ask unanimous consent that my statement be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SYMINGTON

This public highway bill, S. 1048, is an excellent example of how significant legislation can be developed in our legislative system.

The bill itself is the result of combined efforts to lay before the Senate a sound piece of legislation. Every member of the subcommittee contributed to its improvement. Each was weighed carefully. Many were adopted. All of this took place after many facts and opinions, from expert sources, had been heard and studied.

Now that a good product is before the Senate, other features of our legislative process are being brought to play. The record of the past several days attests to the vigor of these features.

Seldom have the members of the Senate been in such accord as to the soundness of purpose of a bill embracing the features of S. 1048.

No one questions that more and improved highways are needed—and this bill will provide such highways.

Our expanding economy, with its increased travel and trade, calls for a better highway system.

Our defense has never before been so dependent upon mobility. For this reason alone, we must improve on all modern forms of transportation, including highways.

The devastating character of modern weapons makes speedy evacuation of our urban centers a must. Failure to provide adequate highways for this purpose is tantamount to the abandonment of essential civil defense requirements.

It is only fair to say that alternative proposals such as the administration's bill, likewise recognize these needs, although in my opinion they do not meet them as adequately.

There are certain basic features of S. 1048 which make it superior to other proposals:

It provides for a balanced development of our entire highway system. The interstate part of our system of highways is emphasized—provision is likewise made for balanced development of our primary highways, our farm-to-market highways, and our civil-defense highways.

As I understand it, the administration's bill limits its attention to expansion of the interstate highways.

S. 1048 provides a flexibility factor by permitting the transfer of a portion of the funds as between major segments of the system. This allows for adjustment to varying needed factors, as seen by respective State areas.

S. 1048 provides the apportionment formula under which funds are allocated to the States, a formula which has been developed and used successfully over a period of years.

The purpose of this formula is an equitable division of needed funds to the respective States.

This objective and time-tested formula is to be contrasted with the executive decisions proposed by the administration's bill.

Neither S. 1048 nor the administration's bill proposes any new source of revenue from which this expanding highway program is to be financed. In the Public Works Committee, however, there was confidence that an expanding economy would produce an increased flow of tax revenues.

In this area of financing, the program is the major contrast between S. 1048 and the administration's bill.

At the risk of emphasizing points better said earlier in this debate, I mention briefly some of the aspects of this financial issue which impress me.

Somewhat different results develop from expenditure of about the same number of dollars.

As example, \$2 billion spent under the administration's bill in a given period of time would provide X miles of highway. The same \$2 billion spent under S. 1048 in a like period of time would provide X+Y miles of highway.

Put another way, under the administration's bill, \$2 billion would necessarily give less miles of highway than under S. 1048.

The explanation is simple. Both programs obtain their money from the general revenues of the United States Treasury, but under the administration's bill, more of that money would go to pay interest. Under S. 1048 more would go into concrete, steel, roadbeds, etc. To the extent that borrowing is resorted to, the bonds must be paid off from revenue.

It is no easier to pay off bonds issued by a special Government corporation than to pay off those issued by the United States Treasury directly.

No one can believe that this highway program, under S. 1048 or the administration's bill, is self-liquidating in the financial sense. Undoubtedly, the roads will pay for themselves through their contributions to the economy and to our defense, but regardless

of what device is used for borrowing the money, the taxpayer will pay for the roads in the same sense that he pays for other public improvements.

There are two basic differences between the method of financing anticipated under S. 1048 and the method anticipated under the administration's bill.

These are:

S. 1048 does not resort to any means of trying to avoid an increase in the advertised public debt. On the other hand, the interest cost in the administration's bill is more of a burden to the taxpayer.

My purpose in these few remarks is to emphasize reasons for recommending S. 1048 as a sound way of meeting the steadily increasing problem of transportation in this country.

Mr. KERR. Mr. President, I offer an amendment, on page 16, line 17, to delete the two words "or practice."

The PRESIDING OFFICER. The Secretary will state the amendment.

The CHIEF CLERK. On page 16, line 17, it is proposed to strike out the words "or practice."

Mr. GORE. The committee accepts the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oklahoma [Mr. KERR].

The amendment was agreed to.

Mr. HOLLAND. Mr. President, I send forward an amendment and ask that it be stated. It is my amendment marked 5/24/55-B. It is at the desk.

The PRESIDING OFFICER. The Secretary will state the amendment.

The CHIEF CLERK. On page 7, beginning with line 12, it is proposed to strike out all over to and including line 7 on page 8.

On page 8, line 8, strike out "(e)" and insert in lieu thereof "(d)."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida.

Mr. HOLLAND. Mr. President, the purpose of the amendment is to strike out subsection (d) of section 2 of the bill, which has already been amended by the adoption of the amendment of the Senator from Oregon [Mr. MORSE]. I believe that amendment did not materially change the meaning of the subsection. If anything, it made it clearer than heretofore that any weight of load and any length of body and any height of body and any weight of body that is now legal on the highways of any State of the Nation would continue to be legal throughout the program until the act was repealed or amended so as to provide otherwise.

The purpose of my amendment is to strike that subsection. I believe it is a completely inadequate section, and it has been admitted on the floor by the distinguished Senator from Tennessee [Mr. GORE], in two statements he made yesterday, that it is completely inadequate to deal with the situation it is designed to deal with. It has also been acknowledged by the Senator from Tennessee to be completely nonuniform in its operation, in that it freezes at their present levels—some of them very excessive as to load limits, and some of them very

long as to length, or very great as to height or weight—the legal provisions now applicable in the various States of the Union.

It is admitted by the sponsors of the bill that there are now applicable in some of the States limits which are much too liberal. What is proposed by the bill is to freeze those limits in those States and permit them to get their 90-10 percent road construction funds, despite very heavy weights, and at the same time permit other States of the Union, which have more reasonable limits of weight and more reasonable requirements as to dimensions, to get their contributions from the Federal Government only under the more reasonable provisions which are already contained in their laws, or under provisions which are contained in a report made by the Association of State Highway Officials.

Of course, it is unusual, to say the least, to have a law recite and rely upon an unofficial document, which is not even a legal document, but only a recommendation, which is referred to only by name and date, as the standard in the law.

On the face of it, that kind of draftsmanship does not commend itself to anyone as advising the reader of the bill what is referred to, or to advise the reader of the code, after it is placed in the code, as to what the standard is. I believe such kind of draftsmanship, to say the least, is objectionable and should not be included in a measure of such widespread application as this measure is.

I do not rest my case upon that allegation or upon that fact—and there is no doubt that it is a fact—but also upon the fact that many States have such high limits that they could never be reached by other States. That would mean that the standard of roads constructed under the 90-10-percent financing in the States that have the high limits, would necessarily be higher, and they would get greater contributions from the Federal Government, and there would never be any uniformity possible under the bill as it is now drawn as between the several States of the Union.

There is no doubt about that. I have before me a copy of a table printed at page 6797 of the CONGRESSIONAL RECORD of Monday, May 23. The table shows what the facts are in the various States of the Union. It appears, for instance, that the uniform standards set by the order of AASHO, which is not set forth in the bill except by reference, are 18,000 pounds for a single axle load, 32,000 pounds for a tandem load, 26,000 for 2-axle trucks, and practical combinations of a maximum of 71,900.

By the way, those limits happen to be almost identical with the provisions in my own State, and, in fact, with the provisions of several other States. There are, nevertheless, States in which such limits as these are found not to apply. In the good State of Michigan, so ably represented by my friend the junior Senator from Michigan [Mr. McNAMARA] and his colleague, the load limit is 102,000 pounds, or substantially half

again as large as the load limit which is allowed in many States of the Nation, on the basis of which the standard of roads to be constructed would be designed. In the State of Rhode Island, for instance—and I am glad to see the distinguished Senators of that State on the floor—the limit is 108,800, as contrasted with the 71,900 pounds which would be permitted in the case of any State whose present limit is well below that. There are a great many States whose limit is below the standard set up by the American Association of State Highway Officials.

It is admitted—and there is no doubt about it, because the record, as submitted by the sponsors of the bill, so shows—that this provision is inadequate to serve the purpose it seeks to accomplish; that it is unfair and nonuniform, and that it applies different standards in different States. Therefore, it leaves some States, which are supposed to be cooperating with the Federal Government in spending Federal money on substantial terms of equality, on a basis far from uniform and far from constituting equality before the law.

Instead of having a provision which looks to some time in the future when standards will be prescribed, this provision has now been amended so as to apply permanently until repealed or amended by the Congress.

If there is any uniformity or fairness in that kind of an approach, I do not know what it can be.

SEVERAL SENATORS. Vote! Vote!

Mr. JOHNSON of Texas. Mr. President, I yield 3 minutes to the distinguished Senator from Tennessee [Mr. GORE].

Mr. GORE. Mr. President, the provision in the bill went into the bill by unanimous rollcall vote in the Public Works Committee. After careful consideration, after looking at the moving picture of the Maryland road tests, and after careful examination, the committee concluded that a mild encouragement to the States to maintain reasonable limitations on weights and sizes of vehicles was necessary to protect the taxpayers' investment in this magnificent system of national highways which this program will inaugurate and, we hope, complete. It is true, as the able senior Senator from Florida says, that this amendment would not force back regulations of those States which have limits above the standards recommended by the Bureau of Public Roads. We considered that, and finally concluded that we did not want to report to the Senate a repressive measure. Neither did we want to throw any impediment against any State raising its limitations up to the standards recommended by the Bureau of Public Roads and State highway officials. But, Mr. President, unless there is a stopping place somewhere, sometime, somehow, in the weight, the width, and the length of vehicles on our highways, the taxpayers can never catch up. They cannot provide sufficient funds to keep ahead of the ability of our engineers to build axles to carry heavier loads.

Mr. THYE. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. In one moment.

The committee feels that it has recommended a very mild and very reasonable provision. Lest someone think this is a provision dealing antagonistically with the motor vehicle transportation industry, let me say that I am involved in that industry in a small way. The real long-term interest of trucking, of bus operation, and of motor vehicle transportation is first in a system of good, durable highways, and second, in some uniformity in weight, so that one can travel with his load from one State to another.

The committee thinks this provision will encourage such uniformity.

I now yield to the Senator from Minnesota.

Mr. THYE. Does not the Senator trust the States of this Union to have any judgment or any commonsense whatsoever?

Mr. GORE. I am sure the Senator would not, upon second thought, make that inquiry of me. Of course, I trust them to have not only some commonsense, but I trust them completely.

Mr. THYE. If the Senator will yield further, I am quite certain—

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. JOHNSON of Texas. I yield 2 additional minutes to the Senator from Tennessee.

Mr. THYE. I am certain the Senator will agree with me that the commissioners of highways in the respective States know the soil conditions, the frost conditions, and all the hazards to which a highway is subjected in the thawing and freezing season of the year, and that it may very well be found that it will be wise not to prescribe a certain standard which would not be applicable in dry, sandy subsoil conditions which may be found in many areas in the extreme Southwest. I recognize that this is one of the fundamental principles of the bill introduced by the distinguished Senator from Tennessee, and that is one of the reasons why I thought the bill should be recommitted in order that we might take the good out of the Senator's bill and the good out of the bill introduced by the Senator from Pennsylvania and put them together.

SEVERAL SENATORS. Vote! Vote!

Mr. GORE. Mr. President, I agree completely with the Senator's statement with the exception of the very last part. We are undertaking to follow the recommendations of the highway commissioners, not to go contrary to them. We do not force any State to accept these funds. The amendment merely provides that in order to safeguard the people's investment we attach this condition to the 90-percent principal investment bonds, if the States maintain either their present limits or the limits recommended by the Bureau of Public Roads and the American Association of State Highway Officials, whichever is the greater. The committee voted for it

unanimously, and I ask the Senator to support it.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. KERR. Mr. President, will the Senator from Tennessee yield?

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. JOHNSON of Texas. I yield the Senator from Tennessee 1 minute.

Mr. KERR. Do I correctly understand that the amendment of the language as it is now contained in the bill is to validate the weights and other specifications in the laws of the various States if those laws have been passed by the legislatures prior to July 1, 1955?

Mr. GORE. That is correct. The committee adopted an amendment last evening on account of the action of the Legislatures of North Dakota and Montana.

Mr. KERR. I think Indiana is in the same position.

Mr. GORE. If any State has a particular situation, the committee will undertake in conference to adjust it equitably.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired. The Chair would suggest that the opponents of the amendment speak on their own time.

Mr. MAGNUSON. Mr. President, what I have to say I should like to insert in the RECORD at this point in the form of a written statement. I ask unanimous consent that I may do so.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MAGNUSON ON SECTION 2 (D) OF HIGHWAY BILL, S. 1048—WEIGHTS AND DIMENSIONS OF TRUCKS, TRAILERS, AND BUSES

I am very much concerned over the implications of section 2 (d) of this bill (S. 1048). As chairman of the Interstate and Foreign Commerce Committee of the Senate, I am deeply interested in the development of a transcontinental and regional system of transportation in all of the States, that will do the best possible job for the American people. Any restrictive provision of any legislation, which tends to mitigate against achievement of this objective, I feel I would necessarily have to oppose.

As written, I think section 2 (d) comes in that category. Section 2 (d) sets forth criteria on the weights and dimensions of vehicles using the interstate highway system.

Section 2 (e), on the other hand, directs the Secretary of Commerce to take all action possible to expedite the conduct of a series of tests—now being conducted by the Highway Research Board and the Bureau of Public Roads—for the purpose of determining the maximum desirable dimensions and weights for vehicles operated on the Federal system and to make recommendations to Congress.

So we have one provision freezing the weights and size and another provision directing that they be tested and determined. I am particularly concerned with the effect of this section upon the West. It is well known that the 11 Western States do not operate upon the standard provisions of the American Association of State Highway Officials,

but operate upon a different and more liberal version thereof, subscribed by the Western Association of State Officials. Vehicles in the West are generally longer and allow greater permissible weight, but have lower axle loads.

Among the questions unanswered by this provision will be: "What about the provision of law which authorized administrators in the West to deviate from certain standards with relation to certain highways and with relation to certain products—mining, agriculture, logging, etc.?"

For example, in my own State logging operators on highways designated by the highway department are allowed a 10-percent tolerance. Would section 2 (d) prevent my State from receiving matching funds, or would it force the highway department to eliminate tolerance authorized by law but administratively determined?

This single example illustrates the complexity of this problem and the maze we are getting into when we attempt to settle this question now—before the study called for in section 2 (e) has been completed.

It is possible that the Congress may wish at some future date to adopt standards on weights and dimensions. That, however, should be done only after every facet of the problem has been considered. In the meantime, I think we should leave the problem where it has always been—namely, with the States.

Mr. HOLLAND. Mr. President, I yield 5 minutes to the Senator from North Carolina.

Mr. ERVIN. Mr. President, I wish to commend the distinguished Senator from Tennessee on the fine work he has done on this bill. I agree with everything in the bill except the particular section to which reference has been made. I object to it because I do not believe that we should look into almanacs and similar publications to find out what is the law of the land. This particular section does not specify the maximum weights in the second subsection, but it leaves it to an almanac or a pamphlet or some such thing published by a voluntary association known as the American Association of State Highway Officials. I think the law of the land should be published in law books, not in pamphlets issued by a voluntary association.

If the bill should pass in its present form containing this subsection, no one could look in the United States Code and find out what the law is on this subsection. He would have to look into a pamphlet published by some voluntary association.

I shall vote for the amendment offered by the senior Senator from Florida. I think the laws of the land should be published in law books, and not in almanacs and pamphlets.

Mr. GORE. Mr. President, will the Senator from North Carolina yield?

Mr. ERVIN. I yield.

Mr. GORE. The committee considered that point. The question was raised as to whether the reference to this document published by the State officials, and in which the Bureau of Public Roads participated, was sufficiently and legally identified.

We referred the question overnight to Mr. Simms, the legislative counsel to the Senate. He advised us that this was sufficient identity. I have again dis-

cussed the question with Mr. Simms, and he has advised, upon further consideration, that this is sufficient legal identity.

Mr. ERVIN. I do not have any doubt about that. I think Congress can pass an act and can say that the law will be found in the second paragraph on page 16 of Blum's Almanac, and that would be sufficient reference. But I think it would be a very poor way to legislate to say that the law of the land cannot be found in the lawbooks.

Mr. THYE. Mr. President, will the Senator from Texas yield 1 minute to me?

Mr. JOHNSON of Texas. Mr. President, I yield 1 minute to the distinguished senior Senator from Minnesota.

Mr. THYE. I think the amendment offered by the distinguished Senator from Florida is sound and should be adopted. If it is not adopted, we shall be acting upon a bill which contains a provision which is not only dangerous, but absolutely destroys the rights of State to jurisdiction over the type of axle, weight, and length of vehicles which will be permitted on the highways that are located within the States. For that reason, I hope the amendment offered by the Senator from Florida will be agreed to.

Mr. HUMPHREY. Mr. President, will the Senator from Texas yield 1 minute to me?

Mr. JOHNSON of Texas. I yield 1 minute to the distinguished junior Senator from Minnesota.

Mr. HUMPHREY. I desire to ask a question of the Senator from Tennessee for clarification. In the section now being discussed under the amendment offered by the Senator from Florida, do item 1, line 16, and item 2, line 20, provide that both those conditions must be met, or is it intended that if a State does not have standards up to those of the American Association of State Highway Officials it would not be excluded from the funds under item 1?

Mr. GORE. The two operate together; and only the greater of the two would apply.

So, to answer the Senator's question categorically, any State which has limitations below the standards recommended by the American Association of State Highway Officials and the Bureau of Public Roads—by which standards, incidentally, the highways are to be constructed—can raise its limits to those standards.

Mr. HUMPHREY. Even after May 1, 1955?

Mr. GORE. Even after July 1, 1955. That date has been changed. Does the Senator mean whether it can be raised at any time?

Mr. HUMPHREY. In other words, the interpretation and the exact meaning of this provision is that in a State where the standards are not up to those of the American Association of State Highway Officials, according to the document referred to, the legislature may change those standards up to that point within 2 years.

Mr. GORE. Or 5 years from now.

Mr. HUMPHREY. And in the meantime it would not be restricted by the terms of the bill?

Mr. GORE. That is correct.

Mr. HUMPHREY. The reason why I asked the question was that at the last session of the Minnesota Legislature a bill was introduced providing standards which would have met those of the American Association of State Highway Officials, but the bill was defeated in the State senate by two votes. It passed the State house of representatives.

If a bill were introduced at the next session of the Minnesota Legislature, which provided dimensions and weights according to the standards approved by the American Association of State Highway Officials, then the provisions in section (d) would not in any way limit the funds coming to the State. Is that correct?

Mr. GORE. They would not.

Mr. HUMPHREY. I thank the Senator from Tennessee.

Mr. BARKLEY. Mr. President, will the Senator from Texas yield a minute to me in order that I may ask a question?

Mr. JOHNSON of Texas. I yield 1 minute to the distinguished Senator from Kentucky.

Mr. BARKLEY. Is there anything in the section which is now sought to be amended which hereafter would prevent a State legislature from raising or lowering the standards, if it saw fit to do so?

Mr. GORE. So long as it did not raise them above either of the two criteria, whichever is greater: First, that limit prescribed by the present State law, if such limit is above the standards of the American Association of State Highway Officials or, second, up to those standards, in the event the State's limitations are below those standards.

Mr. BARKLEY. In other words, a State can raise its standards up to the level of those approved by the American Association of State Highway Officials; and if the State's standards are higher, the State can lower them.

Mr. HOLLAND. Mr. President, I yield myself 3 minutes.

On the question just asked by the distinguished junior Senator from Kentucky, I should like to advise him that the table placed in the RECORD by the Senator from Tennessee shows that the present weight limit in Kentucky is 42,000 pounds. It shows the standards approved by the American Association of State Highway Officials as 71,900 pounds.

The table also shows that 18 States have standards above 71,900 pounds, some of them going as high as 102,000 and 108,800 pounds.

Under the proposed legislation, Kentucky would be free at a subsequent time to raise its weight limit to 71,900 pounds, but it could not raise the limit to any higher figure, or between that figure and the maximum figure of 108,800 which is already the legal weight in one of the States.

Mr. BARKLEY. If up to now Kentucky has not raised its weight limit above 41,000 pounds, it is not likely that it will want to raise it above 71,000 pounds in the immediate future.

Mr. HOLLAND. The Senator has a good point. The only point I am making is that an opportunity which is allowed to 18 States to have limits well above that figure—and some of them are very high above that figure—is denied to all the States whose weight limits are below that figure. If that be uniformity, I do not know the meaning of the word.

Mr. HUMPHREY. Mr. President, will the Senator from Florida refer to the table and tell me what the weight limit is in Minnesota?

Mr. HOLLAND. In Minnesota, the present weight limit, according to the table, is 65,500 pounds, which is below the weight limit approved by the American Association of State Highway Officials, which is 71,000 pounds.

Mr. HUMPHREY. Does the table show the trailer length for Minnesota?

Mr. HOLLAND. Yes, all the lengths are shown.

In Minnesota, the width is 96 inches. That is the same width as recommended by the American Association of State Highway Officials. The height is also the same—12 feet 6 inches.

The length limit in Minnesota is shorter, namely, 55 feet; whereas the length approved by the American Association of State Highway Officials is 60 feet.

Mr. HUMPHREY. Is it the understanding of the Senator from Florida that Minnesota subsequently could revise those dimensions to be in accordance with the standards of the American Association of State Highway Officials?

Mr. HOLLAND. That is correct, up to the 60-foot length, which is the only item of measurement as to which there is any difference in the dimensions; and up to the load weight of 71,900 pounds.

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the distinguished Senator from Oregon.

Mr. MORSE. Mr. President, the purpose of the amendment I offered this morning was to protect the equipment of the trucking industry from becoming obsolete. The amendment will do that.

The movement in the States is toward restriction by their own legislation, in keeping with the formula which has been worked out by State road commissioners and Federal road officials.

We are really protecting the rights of the States in this matter, in that we are giving them an opportunity and the time in which to pass such legislation.

Lastly, if the Senate does away with my amendment, which was agreed to this morning—and that is what the Senate will do if it agrees to the amendment offered by the Senator from Florida—the sky will be the limit. We will be playing right into the hands of the trucking forces that do not want a limit.

The Senator from Tennessee, himself a trucker, owning, as he pointed out yesterday, an interest in a trucking company, and other very responsible truckers have told me that the amendment I offered this morning—in fact, they prepared it for me—will do them justice, in that it will protect them from the danger of obsolescence of their equip-

ment. They believe the amendment will be satisfactory.

Other trucking interests would like to make the sky the limit, if they could get by with it.

I believe the whole situation has been clarified along the lines which the Senator from Tennessee has pointed out. I think we ought to let well enough alone.

Mr. JOHNSON of Texas. Mr. President, I observe that the Senate is ready to vote on the amendment. I am willing to yield back the remainder of my time.

Mr. FOLLAND. I yield back the remainder of my time, and ask for a division.

The PRESIDING OFFICER. All time has been yielded back.

The question is on agreeing to the amendment of the Senator from Florida [Mr. HOLLAND]. A division has been requested.

On a division, the amendment was rejected.

The PRESIDING OFFICER (Mr. DOUGLAS in the chair) subsequently said:

The Chair would like to return to an earlier precedent, which has not been followed in recent years, and announce that on the division requested by the Senator from Florida [Mr. HOLLAND], there were 24 yeas and 28 nays.

The question now is on the third reading of the bill.

Mr. CASE of South Dakota. Mr. President, I have an amendment, which I should like to have read. I do not care to have it voted on. I should like to have it appear in the RECORD, and then I shall yield back the time.

The PRESIDING OFFICER. The amendment may be printed in the RECORD.

Mr. CASE of South Dakota. Mr. President, I do want the Senate to know what the amendment proposes.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. It is proposed, on page 5, line 14, to strike out the period and the remainder of lines 14 and 15 and insert in lieu thereof the following: “; and for each of the succeeding 5 fiscal years, beginning with the fiscal year ending June 30, 1962, the sum of \$2,000,000,000. The sum herein authorized for each of the first 3 fiscal years shall be apportioned”; and in line 23, after the colon, to insert the following: “Provided further, That for the fiscal year ending June 30, 1960, and the 6 succeeding fiscal years the sum herein authorized shall be apportioned among the several States in accordance with the ratio which the cost of completing the uncompleted portion of the national system of interstate highways in such States bears to the cost of completing the uncompleted portion of the entire national system of interstate highways.”

Mr. CASE of South Dakota. Mr. President, I merely wish to say that the adoption of such an amendment would establish a 10-year authorization for interstate highways, with the last 6 years at the \$2 billion level.

The second part of the amendment would provide, after the third year, that the apportionment among the States

should reflect the cost of incompleting portions in exact ratio for every State. So that the adoption of the amendment would provide a completed 10-year program.

I realize that under prevailing conditions the amendment would not be adopted. I therefore withdraw my amendment, so that it will not be necessary to have a vote on it.

The PRESIDING OFFICER. The bill is open to further amendment.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The question now is, Shall the bill pass?

Mr. CAPEHART. Mr. President—

The PRESIDING OFFICER (Mr. MORSE in the chair). Who yields time to the Senator from Indiana?

Mr. JOHNSON of Texas. Mr. President, I yield 1 minute to the Senator from Indiana.

Mr. CAPEHART. Mr. President, it may take me a little longer than that.

Section 2 (d) of the bill reads:

(d) No funds authorized to be appropriated for any fiscal year by this section shall be apportioned to any State within the boundaries of which the National System of Interstate Highways may lawfully be used by vehicles with any dimension or with weight in excess of the greater of (1) the maximum corresponding dimensions or maximum corresponding weight permitted for vehicles using the public highways of such State under laws in effect in such State on May 1, 1955.

The State of Indiana enacted some laws during the last session of the legislature, which adjourned about March 1, but, under Indiana law, the laws will not become effective until they are published, which will be, I think, about the 1st of July or the 1st of August. My question is, Does the date of May 1, 1955, apply to when a legislature enacted a law or when the law becomes effective?

Mr. GORE. The May 1 date has already been changed by amendment to July 1. I should like to say to the distinguished Senator from Indiana that in the event the law of his State does not become effective until July 15 or August 1 or some such date, the committee in conference will be very considerate in trying to meet that condition.

Mr. CAPEHART. And will change the date which was May 1, and is now July 1, 1955, to, say, August 1, 1955, if the law which the Indiana Legislature enacted does not become effective until then?

Mr. GORE. We shall endeavor to deal equitably with Indiana's situation and endeavor to give due consideration to its problems.

Mr. CAPEHART. I thank the Senator.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement which I have prepared which contains the language of an amendment I had intended to propose.

The PRESIDING OFFICER. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CAPEHART

The Senate Committee on Public Works on May 13, 1955, reported out S. 1048, a bill to amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes. The bill provides, among other matters, that Federal funds be withheld from States that increase size and weight limits beyond those in effect May 1, 1955. Specifically, section 2 (d) of the bill reads as follows:

"(d) No funds authorized to be appropriated for any fiscal year by this section shall be apportioned to any State within the boundaries of which the National System of Interstate Highways may lawfully be used by vehicles with any dimension or with weight in excess of the greater of (1) the maximum corresponding dimensions or maximum corresponding weight permitted for vehicles using the public highways of such State under laws in effect in such State on May 1, 1955, or (2) the maximum corresponding dimensions or maximum corresponding weight recommended for vehicles operated over highways of the United States by the American Association of State Highway Officials in a document published by such association entitled 'Policy Concerning Maximum Dimension, Weights, and Speeds of Motor Vehicles To Be Operated Over the Highways of the United States,' and incorporating recommendations adopted by such association on April 1, 1946. Any amount which is withheld from apportionment to any State pursuant to the foregoing provisions of this section shall be reapportioned immediately to the States which have not been denied apportionments pursuant to such provisions."

The quoted section poses serious questions.

Among the principal ones are those relating to the establishment of the May 1, 1955, deadline. Are the States the legislatures of which before the deadline date enacted laws providing increased size and weight limits which, however, do not become effective until after the deadline date to be deprived of Federal funds? Must the legislatures of these States repeal the laws for the States to qualify for the grant of Federal funds?

Are the States the legislatures of which are presently in session and considering such legislation to be deprived of the opportunity to revise their size and weight limits lest they be deprived of Federal funds?

Other questions arise from the ambiguity of section 2 (d). Are States that have had no laws limiting the size and weight of motor vehicles required to impose the AASHO limits to assure their receiving Federal funds, although they have permitted the operation over their roads of vehicles exceeding the AASHO limits?

Are States that have based their weight limits on axle loads alone required to impose the AASHO limits on gross weight to assure their receiving Federal funds, although they have permitted the operation over their roads of vehicles exceeding the AASHO gross-weight limits?

Are States that have provided length limits on trucks and combinations alone required to impose the AASHO length limit for truck-trailers and semitrailers to assure their receiving Federal funds, although they have permitted the operation over their roads of truck-trailers and semitrailers of length

prescribed as the maximum for combinations?

Are the States having laws permitting the designation of highways on which the maximum weight limits shall be greater than those applicable on the remaining roads to limit vehicle weights to those generally applicable to assure their receiving Federal funds? Would the situation vary, depending on whether highways providing for greater weight limits actually have been designated?

Are the size and weight limits to be followed by the States seeking to comply with the law to be computed with or without the tolerances that have been permitted by the States? Would the situation vary depending on whether the tolerances were authorized by legislation, regulation, or administrative discretion?

Are the size and weight limits to be followed by the States seeking to comply with the law to take into consideration permits authorizing departures from established allowances? Would the situation vary depending on whether the permits were authorized by legislation, regulation, or administrative discretions?

Are States that heretofore have allowed only single- or double-unit combinations limited thereto to assure their receiving Federal funds since the AASHO Code makes no provision for three-unit combinations?

These are serious questions and the proposal needs to be amended as shown below to carry out the intent of the proposal, i. e., to assure the States that they would be permitted without penalty to continue allowing combinations, dimensions, and weights which they were allowing as of the effective date, and to assure the States of the right to proceed with changes already made or in the process of being made during the 1955 sessions of the State legislatures.

Amendment intended to be proposed to the bill (S. 1048) to amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes, viz: Strike section 2 (d) of the bill as reported and substitute in lieu thereof as follows:

"(d) No funds authorized to be appropriated for any fiscal year by this section shall be apportioned to any State within the boundaries of which the national system of interstate highways may lawfully be used by vehicles with any dimension or with weight in excess of the greater of (1) the maximum permissible corresponding dimensions or maximum permissible corresponding gross and/or axle weights applicable on July 1, 1956, to vehicles lawfully using any of the public highways of such State, or (2) the maximum corresponding dimensions or maximum corresponding weight recommended for vehicles operated over the highways of the United States by the American Association of State Highway Officials in a document published by such association entitled 'Policy Concerning Maximum Dimension, Weights, and Speeds of Motor Vehicles To Be Operated Over the Highways of the United States,' and incorporating recommendations adopted by such association on April 1, 1946. Any amount which is withheld from apportionment to any State pursuant to the foregoing provisions of this section shall be reapportioned immediately to the States which have not been denied apportionments pursuant to such provisions: *Provided, however,* That nothing herein shall be construed to deny apportionment to any State allowing the operation within such State of any vehicles or combinations thereof that could be operated lawfully within such State on July 1, 1956."

Mr. KERR. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield to the Senator from Oklahoma.

Mr. KERR. The question has been asked if the provision was not such that it would invalidate a law when passed prior to July 1, 1955.

Mr. GORE. The Senator from Indiana was not present on the floor at that time, I believe.

Mr. BYRD. Mr. President—

Mr. JOHNSON of Texas. Mr. President, I yield to the distinguished Senator from Virginia.

Mr. BYRD. Mr. President, I desire to have the RECORD show my opposition to Senate bill 1048. I ask unanimous consent to have printed in the RECORD at this point a statement I have prepared.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BYRD

S. 1048 proposes to spend a total of \$12¼ billion over a period of about 7 years in which revenue from gasoline taxes will total approximately \$8.4 billion.

The highway program contemplated by Senate bill 1048 contemplates deficit spending of at least \$4½ billion over a 7-year period, or an average of approximately \$640 million a year.

In the latter years of the program, beginning with 1960, the annual deficits will exceed a billion dollars a year in terms of Federal gasoline tax collections.

I cannot support the highway program built on such a wide divergence between cost and user taxes.

SEVERAL SENATORS. Vote! Vote!

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time.

Mr. SALTONSTALL. Mr. President, I yield back the time remaining to the minority leader.

The PRESIDING OFFICER. The question is on the passage of the bill.

The bill (S. 1048), as amended, was passed.

ORDER FOR RECESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until tomorrow noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPEAL OF SECTIONS 452 AND 462 OF THE INTERNAL REVENUE CODE OF 1954

Mr. JOHNSON of Texas. Mr. President, it is planned to move to proceed to the consideration of a bill which has been reported from the Committee on Finance, repealing sections 452 and 462 of the Internal Revenue Code of 1954, the so-called "bloopers" bill, Calendar No. 376, H. R. 4725. After the morning hour tomorrow, the Senate will discuss it.

Therefore, Mr. President, I move that the Senate proceed to the consideration of H. R. 4725.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 4725) to repeal sections 452 and 462 of the Internal Revenue Code of 1954.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 4725) to repeal sections 452 and 462 of the Internal Revenue Code of 1954, which had been reported from the Committee on Finance with amendments.

Mr. JOHNSON of Texas. Mr. President, I may say that the bill was reported from the committee unanimously. For the information of the Senate, I do not anticipate, although I cannot give any assurance, that there will be any yeas-and-nays vote on the bill.

The PRESIDING OFFICER. What is the pleasure of the Senate?

PROGRAM FOR TOMORROW AND REMAINDER OF WEEK

Mr. JOHNSON of Texas. Mr. President, I desire to make a further announcement. There has also been reported from the Finance Committee another bill, the number of which I do not have available, which may be called up for consideration.

I wish to call attention to the possibility of having the Senate proceed to the consideration of the following bills:

Calendar No. 365, S. 1775, reported by the Senator from South Carolina [Mr. JOHNSON], a bill to amend the act of April 6, 1949, as amended, and the act of August 31, 1954, so as to provide that the rate of interest on certain loans made under such acts shall not exceed 3 per cent per annum.

Calendar No. 366, H. R. 103, to provide for the construction of distribution systems on authorized Federal reclamation projects by irrigation districts and other public agencies.

Calendar No. 367, S. 180, to authorize the Secretary of the Interior to construct, operate, and maintain the Washita River Basin reclamation project, Oklahoma.

Calendar No. 368, S. 1464, to authorize the Secretary of the Interior to acquire certain rights-of-way and timber-access roads.

Calendar No. 369, S. 1747, to increase the public benefits from the National park system by facilitating the management of museum properties relating thereto, and for other purposes.

Calendar No. 370, S. 1138, to continue the effectiveness of the act of July 17, 1953 (67 Stat. 177), as amended, providing certain construction and other authority.

Calendar No. 371, H. R. 3885, to amend the act of April 29, 1941, to authorize the waiving of the requirement of performance and payment bonds in connection with certain Coast Guard contracts.

Calendar No. 372, S. 1718, to provide certain clarifying and technical amendments to the Reserve Officer Personnel Act of 1954.

Calendar No. 373, S. 55, to authorize the acceptance on behalf of the United States of the conveyance and release by the Aztec Land & Cattle Co., Ltd., of its right, title, and interest in lands within the Cocconino and Sitgreaves National

Forests, in the State of Arizona, and the payment to said company of the value of such lands, and for other purposes.

Calendar No. 374, S. 516, to amend the act of July 3, 1952, relating to research in the development and utilization of saline waters;

Calendar No. 376, H. R. 4725, to repeal sections 452 and 462 of the Internal Revenue Code of 1954, which is the unfinished business;

Calendar No. 377, S. 76, a bill authorizing appropriations for the construction, operation, and maintenance of the western land boundary fence project, and for other purposes;

Calendar No. 378, Senate Joint Resolution 6, to provide for investigating the feasibility of establishing a coordinated local, State, and Federal program in the city of Boston, Mass., and general vicinity thereof, for the purpose of preserving the historic properties, objects, and buildings in that area;

And Calendar No. 379, S. 34, providing for the leasing by Indian owners of restricted Indian lands in the State of Arizona for certain purposes.

I should say, for the information of the Senate, that, so far as I know, there is no controversy involved in any of those bills. The minority leader has cleared each of them, and the majority policy staff has reviewed them. I wish to be in a position to move that the Senate proceed to the consideration of those measures on either Thursday or Friday.

There will be a session on Friday, although I do not anticipate any yeas-and-nays votes. I shall do all I can to discourage them, and hope there will not be any, but I cannot guarantee that a Senator will not exercise his right.

When the Senate recesses on Friday, it is planned to recess until Tuesday. It is possible that on Friday the Senate may proceed to the consideration of the appropriation bill for the State Department, if that is agreeable. It may be we shall take it up on Tuesday. It is possible that we shall take up the mutual-security bill on either Tuesday or Wednesday, depending on arrangements yet to be worked out with the Armed Services Committee.

I do not expect there will be any controversial measures before the Senate on either Thursday, Friday, or Tuesday—that is to say, I do not expect that there will be yeas-and-nays votes or heated fights, or what might be called partisan controversies.

I desired to have all Senators in possession of this information, so they could make their plans accordingly.

RECESS

Mr. JOHNSON of Texas. Mr. President, if there are no other Members of the Senate who desire to address the Senate at this time, then, in accordance with the order previously entered, I move that the Senate take a recess.

The motion was agreed to; and (at 8 o'clock and 11 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Thursday, May 26, 1955, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 25 (legislative day of May 2), 1955:

INTERNATIONAL COOPERATION ADMINISTRATION

John B. Hollister, of Ohio, to be Director of the International Cooperation Administration.

DIPLOMATIC AND FOREIGN SERVICE

The following-named persons, now Foreign Service officers of class 1 and secretaries in the diplomatic service, to be also consuls general of the United States of America:

Francis A. Flood, of California.

Franklin C. Gowen, of Pennsylvania.

The following-named persons, now Foreign Service officers of class 2 and secretaries in the diplomatic service, to be also consuls general of the United States of America:

John H. Burns, of Oklahoma.

Joseph B. Costanzo, of New York.

Theodore J. Hadraba, of Nebraska.

Eric Kocher, of California.

David M. Maynard, of California.

John M. Steeves, of the District of Columbia.

Sheldon Thomas, of New York.

Frederick E. Farnsworth, of Colorado, now a Foreign Service officer of class 3 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

William R. Tyler, of the District of Columbia, for appointment as Foreign Service officer of class 1, consul, and secretary in the diplomatic service of the United States of America.

Orville C. Anderson, of California, for promotion from Foreign Service officer of class 3 to class 2.

The following-named persons for appointment as Foreign Service officers of class 2, consuls, and secretaries in the diplomatic service of the United States of America:

W. Tapley Bennett, Jr., of Georgia.

Robert J. Ryan, of Massachusetts.

The following-named persons for appointment as Foreign Service officers of class 3, consuls, and secretaries in the diplomatic service of the United States of America:

Webster E. Ballance, of Illinois.

Emerson I. Brown, of Ohio.

Peter H. Delaney, of New York.

David M. French, of Maryland.

Richard Funkhouser, of California.

Raymond L. Harrell, of Connecticut.

L. Wendell Hayes, of Iowa.

Ralph H. Hunt, of Massachusetts.

M. Hollis Kannenberg, of Minnesota.

Miss Carol C. Laise, of West Virginia.

Abram E. Manell, of California.

Mervyn V. Pallister, of Michigan.

Alex T. Prengel, of Wisconsin.

Loch Shumaker, of Illinois.

The following-named persons for appointment as Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America:

James W. Boyd, of North Carolina.

Paul R. S. Brumby, of Missouri.

Douglas W. Coster, of Virginia.

Edward J. Dembski, of Colorado.

George H. Haselton, of the District of Columbia.

Arnulfo G. Heltberg, of California.

Thomas G. Karis, of Virginia.

Verne L. Larson, of North Dakota.

Mason A. La Selle, of Colorado.

Harry M. Lofton, of South Carolina.

Miss Juliet M. Lohr, of the District of Columbia.

James P. Parker, of Connecticut.

Albert L. Seligmann, of Virginia.

Robert W. Wagner, of Michigan.

Thurston Francis Waterman, of the District of Columbia.

David B. Wharton, of California.

The following-named persons, now Foreign Service officers of class 5 and secretaries in the diplomatic service, to be also consuls of the United States of America:

Ernest B. Gutierrez, of New Mexico.

Karl E. Sommerlatte, of Florida.

Gerald Goldstein, of New York, for promotion from Foreign Service officer of class 6 to class 5.

The following-named persons for appointment as Foreign Service officers of class 5, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Robert A. Bishton, of Maryland.

Robert V. Carey, of Colorado.

Miss Ann Child, of California.

Mrs. Anne P. Comanduras, of Virginia.

Miss Marian C. Conroy, of Pennsylvania.

Arthur R. Dornheim, of Maryland.

Richard E. Dove, of Maryland.

Theodore R. Frye, of Ohio.

James A. Howell, of Texas.

Miss Virginia L. King, of Nebraska.

C. Thomas Mayfield, of Wisconsin.

Marshall Hays Noble, of New York.

Aloysius J. Warnecki, of Pennsylvania.

The following-named persons for appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Joel W. Biller, of Wisconsin.

A. Dane Bowen, Jr., of Texas.

Byron E. Byron, of California.

Harry W. Cladounos, of Montana.

C. Edward Dillery, of Washington.

Herbert Engelhardt, of New Jersey.

William P. Horan, Jr., of Minnesota.

Roger Kirk, of the District of Columbia.

Grover W. Penberthy, of Oregon.

Samuel G. Wise, Jr., of New York.

The following-named Foreign Service staff officers to be consuls of the United States of America:

Philbert Deyman, of Minnesota.

William M. Hart, of North Carolina.

Herbert N. Higgins, of Texas.

Herman Lindstrom, of California.

Herbert T. Schuelke, of Colorado.

Paul C. Sherbert, of California.

Samuel H. Young, of Florida.

The following-named Foreign Service Reserve officers to be consuls of the United States of America:

Lawrence G. Leiserson, of the District of Columbia.

Francis J. McArdle, of New York.

Arthur Z. Gardiner, of Virginia, a Foreign Service Reserve officer, to be a secretary in the diplomatic service of the United States of America.

DEPARTMENT OF DEFENSE

CHAIRMAN, JOINT CHIEFS OF STAFF

Adm. Arthur William Radford, United States Navy, for appointment as Chairman of the Joint Chiefs of Staff in the Department of Defense.

DEPARTMENT OF THE NAVY

CHIEF OF NAVAL OPERATIONS

Rear Adm. Arleigh Albert Burke, United States Navy, to be Chief of Naval Operations in the Department of the Navy, with the rank of admiral, for a term of 2 years.

UNITED STATES ATTORNEY

Henry J. Cook, of Kentucky, to be United States attorney for the eastern district of Kentucky, for the term of 4 years, vice Edwin R. Denney, resigned.

IN THE AIR FORCE

Gen. Nathan Farragut Twining, 10A (major general, Regular Air Force), United

States Air Force, for reappointment as Chief of Staff, United States Air Force, with the rank of general, for a period of 2 years ending June 30, 1957, under the provisions of section 202 of the Air Force Organization Act of 1951.

IN THE NAVY

Stephen W. Reszetar, midshipman (Naval Academy), to be ensign in the Navy, in lieu of ensign in the Civil Engineer Corps in the Navy as previously nominated and confirmed, subject to qualification therefor as provided by law.

The following-named (Naval Reserve Officers' Training Corps) to be ensigns in the Navy as previously nominated and confirmed, to correct name, subject to qualification therefor as provided by law:

H. Lee Boatwright III

Trentwell M. White, Jr.

The following-named (Naval Reserve aviators) to be ensigns in the Navy, subject to qualification therefor as provided by law:

Courtland D. Ball III Rolland K. Shea

Ivey B. Holt, Jr. Harry A. Wilson

Ralph E. Platt

The following-named Reserve officers to be lieutenants in the Medical Corps in the Navy, subject to qualification therefor as provided by law:

Richard J. Kester

Billy P. Sammons

The following-named Reserve officers to be lieutenants (junior grade) in the Dental Corps in the Navy, subject to qualification therefor as provided by law:

Virgil L. Galey

Leon G. Saylor, Jr.

Richard F. Wicker, Jr. (Naval Reserve officer) to be lieutenant (junior grade) in the Chaplain Corps in the Navy, subject to qualification therefor as provided by law.

WITHDRAWAL

Executive nomination withdrawn from the Senate May 25 (legislative day of May 2), 1955:

POSTMASTER

Morton S. Howell to be postmaster at Broadway, in the State of New Jersey.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 25, 1955

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

God of all grace and goodness, grant that now, through the way of prayer, our souls may ascend the mountain peak of a larger outlook and enter the zone of lofty vision and understanding.

We humbly acknowledge that humanity, with its bruised and broken heart, its gropings and confused searchings, its weakness and weariness, its fears and failures, has no one to go to except unto Thee.

Inspire us to stand in the noble tradition of those who never lost heart or hope when twilight and darkness descended upon them but held on to the promises and prophecies of a new and better day with unwearied patience and increasing tenacity.

Help us to face life with gladness and good cheer, saying to ourselves, "I am